

CONSTITUTION OF THE NEW MEXICO ASSOCIATION OF EDUCATIONAL RETIREES, INCORPORATED

ARTICLE I – NAME

The name of this organization shall be the New Mexico Association of Educational Retirees, Incorporated (NMAER, Inc.) founded in October 1942 as a non-profit organization and hereafter called the Association.

ARTICLE II – AFFILIATION

This Association shall work cooperatively with the National Retired Teachers Association, a division of AARP, and other organizations to promote activities that are beneficial to the Association.

ARTICLE III – OBJECTIVES

The objectives of the Association shall be:

1. To promote successful retirement from educational employment;
2. To improve the status and welfare of retired Educational retirees; and
3. To encourage participation from all parts of the state.

ARTICLE IV – MEMBERSHIP

Section 1. Retired educational employees, or active educational employees, are eligible for membership in the Association upon payment of annual dues. The non-educator spouse of a member may become a member upon payment of annual dues.

Section 2. There shall be two categories of members.

- a. Full member.
- b. Associate Member for active employees.

Section 3. Only full members are entitled to be delegates to the annual meeting and eligible to run for office or be appointed to an office.

ARTICLE V – ELECTED OFFICERS AND REPRESENTATIVES

Section 1. The elected officers of the Association shall be the President, First Vice President, Second Vice President for Educational Services, Third Vice President for Legislation, At-Large Representative for Amendments, At-Large Representatives for Membership/Retirement

Planning, Representative to the Educational Retirement Board, and Representative to the New Mexico Retiree Health Care Authority. Officers shall be elected at the Annual Meeting.

Section 2. In the event the President cannot serve, the order of succession to the Presidency shall be the First Vice President, the Second Vice President for Educational Services, and the Third Vice President for Legislation. In the event this happens, the Executive Board may appoint a replacement for the position vacated for the remainder of the year.

Section 3. All other vacancies existing on the elected Board may be filled by action of the Executive Board for the remainder of the year.

ARTICLE VI – APPOINTED OFFICERS

Section 1. The Executive Director shall be selected by the NMAER Executive Board to serve at its pleasure.

Section 2. The Secretary shall be appointed by the President and approved by the NMAER Executive Board to serve at its pleasure.

Section 3. The Treasurer shall be appointed by the President and approved by the NMAER Executive Board to serve at its pleasure.

Section 4. When authority is given to allow representation of the Association on boards or commissions, an appointment of an Association member shall be made by the President and approved by the NMAER Executive Board.

ARTICLE VII – MEETINGS

The Annual Meeting of the Association shall be held in the fall of each year. Other meetings of the Association may be called by the President with concurrence of the Executive Board. All meetings shall be open to the membership.

ARTICLE VIII – RULES AND REGULATIONS

The rules contained in the New Robert's Rules of Order, current edition, shall govern the Association in all cases to which they are applicable and in which they are not inconsistent with the Constitution and By-Laws of this Association.

ARTICLE IX – AMENDMENTS

Section 1. The Constitution may be amended by a majority of the delegates voting at an Annual Meeting, provided such proposed amendment(s) have been presented to the membership in printed form in the NEWSLETTER, or website (www.nmaer.com) or to local units prior to the Annual Meeting.

Section 2. Amendments proposed at an Annual Meeting will be sent by the President to the Chair of the Amendments Committee following the Annual Meeting. Individuals and units may send proposed amendments to the President or Chair of the Amendments Committee at any time.

Section 3. All amendments voted on and passed shall become effective January 1st following the Annual Meeting.

**BY-LAWS OF THE
NEW MEXICO ASSOCIATION OF EDUCATIONAL RETIREES,
INCORPORATED**

ARTICLE I – MEMBERSHIP DUES.

Section 1. The annual dues rate can be changed by recommendation of the Executive Board, followed by approval by the delegate assembly.

Section 2. Annual membership dues may be paid by authorized deduction or by personal check.

ARTICLE II – FISCAL YEAR.

The fiscal year of the Association shall begin January 1 of each year and end December 31.

ARTICLE III – TERMS OF ELECTED OFFICERS AND REPRESENTATIVES.

Section 1. All elected positions will be for a period of two years. Terms of elected officers and At-Large Representatives shall begin on January 1 and end on December 31, two years from the beginning date. The person may be re-elected to the same office after being out of that office for a period of two years.

Section 2. The Representative to the Educational Retirement Board shall serve a term of four years as prescribed by law, with the term beginning July 1 and ending June 30. The Representative shall be elected at the Annual Meeting preceding the end of the term. This person may be re-elected.

Section 3. The Representative to the New Mexico Retiree Health Care Authority shall serve a term of four years, with the term beginning July 1 and ending June 30. The Representative shall be elected at the Annual Meeting preceding the end of the term. This person may be re-elected.

ARTICLE IV – MEETINGS.

Section 1. The time and place of the Annual Meeting shall be determined at the preceding Annual Meeting. If the time and/or place of the next meeting is not determined then, such determination shall be made by majority vote of the Executive Board upon recommendation by the President.

Section 2. Special meetings may be called by the President upon approval by a majority vote or poll of the Executive Board.

ARTICLE V – OFFICERS.

Officers of the Association shall consist of the elected officers and elected representatives and the Immediate Past President.

Section 1. PRESIDENT. The President shall represent the Association as its official voice to the members and to the public. In addition, the President shall be responsible for:

- developing and supervising the Association's action plan with the approval of the Executive Board.
- developing and overseeing the budget with the assistance of the Executive Director and the Treasurer.
- presiding over regular and special meetings.
- developing the agenda for regular and special meetings with the assistance of the Executive Director.
- appointing committee members, regular and ad hoc, with the approval of the Executive Board.
- serving ex officio on all committees.
- leading and assisting in the promotion of the Association.
- performing other duties as agreed upon with the Executive Board.

Section 2. FIRST VICE PRESIDENT. The First Vice President shall perform such duties as directed by the President and the Executive Board.

Section 3. IMMEDIATE PAST PRESIDENT. The Immediate Past President shall perform duties for the Association upon the request of the President and the Executive Board.

Section 4. SECOND VICE PRESIDENT FOR EDUCATIONAL SERVICES. The Second Vice President for Educational Services shall serve as the chair of the Educational Services Committee and provide leadership in promoting the Association's goals and objectives through disseminating information to members and potential members throughout the state.

Section 5. THIRD VICE PRESIDENT FOR LEGISLATION. The Third Vice President for Legislation shall serve as the chair of the Legislative Committee and shall have the responsibility of leading the Committee in promoting the Association's legislative goals and of communicating with the unit presidents and the Executive Board.

Section 6. AT-LARGE REPRESENTATIVE FOR AMENDMENTS. The Representative for Amendments shall serve as Chair of the Amendments Committee and shall have the responsibility of leading the Committee in receiving and evaluating proposed amendments to the Constitution and By-Laws.

Section 7. AT-LARGE REPRESENTATIVES FOR MEMBERSHIP / RETIREMENT PLANNING. Two candidates shall be elected. (The preference would be one from the north and one from the south.) Representatives shall serve as co-chairs of the Membership/Retirement Planning Committee from each area and shall lead the committee in all efforts to retain, acquire, and promote membership in the Association.

Section 8. EDUCATIONAL RETIREMENT BOARD REPRESENTATIVE. The Educational Retirement Board Representative shall represent the Association on the Educational Retirement Board and shall report regularly to the Executive Board and to the membership via the Newsletter and/or Website and at the Annual Meeting.

Section 9. NM RETIREE HEALTH CARE AUTHORITY REPRESENTATIVE. The New Mexico Retiree Health Care Authority Representative shall represent the Association on the New Mexico Retiree Health Care Authority and shall report regularly to the Executive Board and to the membership via the Newsletter and/or Website and at the Annual Meeting. Provide health information to the units and members and be available to speak to the Units if requested.

ARTICLE - VI. EX-OFFICIO OFFICERS AND OFFICE STAFF.

Section 1. EXECUTIVE DIRECTOR. The Executive Director shall be selected by the Executive Board and shall be assigned duties by the President with the approval of the Executive Board. The Executive Director will comply with the directives of the President and the Executive Board and will report progress in a timely manner. The Executive Director will:

- present a positive image to the membership and the public.
- be responsible for office organization and maintaining all Association files and records.
- recommend changes in policy and procedures to the Executive Board.
- maintain an accurate inventory of equipment and supplies.
- provide assistance to the state convention committee as requested.
- present written quarterly reports to the advisory Executive Board.
- present a written report to the membership at the Annual Convention.
- provide a written report of the purpose and outcome of reimbursed travel to the Executive Board.
- prepare an annual calendar of events of the Association for the Executive Board.
- make travel and lodging arrangements for meetings, conferences and boards.
- perform other duties as agreed upon by the President and Executive Board.

The Executive Board shall determine the contract and working arrangements of the Executive Director.

Section 2. TREASURER. The Treasurer shall be selected by the President with the approval of the Executive Board. The bonded Treasurer shall be non-voting and shall provide a detailed report of budget receipts, expenditures, and investments to the Executive Board. The Treasurer shall work with the Membership Committee and shall perform other duties as assigned.

The Executive Board shall determine the contract and working arrangement of the Treasurer.

Section 3. SECRETARY. The Secretary shall be selected by the President with the approval of the Executive Board. The Secretary shall be non-voting and shall have the primary duty of keeping the minutes and records of the meetings of the Executive Board and

the Annual Meeting. Additional duties shall be those agreed upon with the President and Executive Board.

Section 4. DATABASE. This person is selected and appointed by the Executive Board and is responsible for maintaining all the information relating to membership. This person may supply the information to individual units upon request, and to the Board on a timely basis.

Section 5. WEBMASTER. This person is selected and appointed by the Executive Board and works with the Executive Director to set up and keep the Website up to date, and any other duty as requested by the Executive Board.

Section 6. CASHIER. This person is selected and appointed by the Executive Board to work with the Treasurer. This person will receive, receipt, and deposit all money. All deposit slips will be given to the Treasurer. Other duties may be requested by the Executive Director.

ARTICLE - VII. PRESIDENTIAL APPOINTEES AND THEIR DUTIES.

In addition to committee appointments, the President shall make such individual appointments as are necessary to conduct the business of the Association; e.g., newsletter editor, historian/necrology, travel coordinator, nominations and elections.

Section 1. NEWSLETTER EDITOR. The Newsletter Editor shall be appointed by the President and approved by the Executive Board. The Newsletter Editor shall collect pertinent news from units, officers, representatives to boards, committee chairpersons, and others, and shall organize material, prepare it for publication and mailing, and perform any other duties required for the preparation and distribution of the Newsletter.

Section 2. NOMINATIONS AND ELECTIONS. The Nominations and Elections Chair shall be appointed by the President and approved by the Executive Board. The Chair shall lead the committee in securing the names of nominations for the state officers and manage the election process.

Section 3. HISTORIAN/NECROLOGY. The Historian/Necrology Chair shall be appointed by the President and approved by the Executive Board. The Historian/Necrology's duties shall be to keep a written and pictorial record of the activities of the Association and submit names of our deceased colleagues for the Newsletter and organize a Remembrance Ceremony at the Annual Meeting.

ARTICLE VIII. NMAER EXECUTIVE BOARD. The Executive Board shall have the responsibility of making policy decisions for the Association. The Executive Board shall be responsible for the business affairs and direction of the Association, including making any necessary budgetary adjustments during the calendar year. The Board will report any action taken at the Annual Meeting. The elected officers, representatives and the immediate past president shall have the voting powers of the Board.

Section 1. The Executive Board will consist of:

- **Immediate Past President**
- **Elected Officers**
 - President
 - First Vice President
 - Second Vice President for Education
 - Third Vice President for Legislation
- **Elected At Large Representatives**
 - Amendments
 - Membership/Retirement Planning
 - Membership/Retirement Planning
- **Elected Representatives**
 - Educational Retirement Board
 - New Mexico Retiree Health Care Authority
- **The Executive Board** – Non-Voting Members shall consist of:
 - Office Staff (non-voting)
 - Executive Director
 - Secretary
 - Treasurer
 - Cashier
- **Appointed Chairs** (non-voting)
 - Newsletter Editor
 - Nominations and Elections
 - Historian/Necrology
 - Travel Coordinator
 - Supportive Organizations
 - Liaison between AARP-NM and NMAER
- **Ex Officio Members**
 - All past Presidents excluding the Immediate Past President.

Section 2. The Executive Board will employ such persons as are necessary to conduct the operational business of the Association.

Section 3. The Executive Board shall be responsible for directing the activities of the Executive Director.

Section 4. The Executive Board shall meet quarterly or upon call by the President.

Section 5. Any four voting Executive Board members with a special concern may petition the President who shall call a special meeting to address that concern.

Section 6. The Executive Board will invite the committee chairpersons and others to attend meetings as advisors whenever deemed necessary.

Section 7. The Executive Board will ensure that current position descriptions are maintained for all officers and committees and that current position descriptions appear in the NMAER Handbook.

Section 8. The Executive Board is authorized to appoint an Executive Committee.

Section 8a. This Committee is charged to address issues of urgent concern to the Association that require prompt discussion and/or action. Any action taken or recommended shall be reported to the entire Board as soon as possible. The Executive Board shall approve the action taken at the next regular or special Board meeting.

ARTICLE IX - STANDING COMMITTEES AND THEIR DUTIES.

Standing committees shall be established to meet program goals of the Association and to ensure participation and representation from the membership at large. Each standing committee chairperson will submit an annual written report to the President 30 days prior to the Annual Meeting.

The following standing committees shall be established: Legislative Committee, Educational Services Committee, Nominations and Elections Committee, Membership Committee, Retirement Planning Committee, and Amendments Committee. The President, with the approval of the Executive Board, shall appoint the chair to the Nominations and Elections Committee. All other chairs are elected by the Delegate Assembly.

Section 1. LEGISLATIVE COMMITTEE. The purpose of the Legislative Committee shall be to provide leadership to the membership by promoting and monitoring legislation that will affect educational retirees.

Section 2. EDUCATIONAL SERVICES COMMITTEE. The Educational Services Committee shall provide the unit's access to resource persons and information that support the goals and activities of the Association.

Section 3. NOMINATIONS AND ELECTIONS. The Nominations and Elections Committee shall be responsible for securing the names of nominees for state offices, confirming a slate, publicizing the nominees and their qualifications for office, and assisting with the election process at the Annual Meeting.

Section 4. MEMBERSHIP COMMITTEE. The Membership Committee shall encourage and promote membership in the Association and in local units for all retired educational employees and their spouses. Emphasis shall be on acquiring new members, retaining current members, and having monthly dues deducted from retirement checks.

Section 5. RETIREMENT PLANNING COMMITTEE. The Retirement Planning Committee shall provide opportunities for retirement planning to active educational employees to facilitate the retirement process. The committee's services may be offered to other interested groups deemed appropriate by the Executive Board. A close relationship should be maintained with the Membership Committee as well as with the various state education associations.

Section 6. AMENDMENTS COMMITTEE. The Amendments Committee shall receive and evaluate all proposed amendments to the By-Laws and Constitution. The Amendments Committee shall present all amendments proposed either by mail or at the preceding Annual Meeting in the Newsletter or Website and/or to the local Units prior to the next Annual Meeting, along with a recommendation for each as to "pass" or "no pass" and the reason(s) for said recommendation. The Amendments Committee shall develop and publish its deadlines, meeting times, and format for submission of amendments.

ARTICLE X. SPECIAL OR AD HOC COMMITTEES.

With the approval of the Executive Board, the President shall appoint such special or ad hoc committees as are necessary.

The chairpersons of these committees will submit to the President a written report of the activity within 15 days following the activity's completion.

ARTICLE XI. ELECTIONS.

Section 1. The Nominations and Elections Committee shall present a slate of officers and Association representatives at the Annual Meeting. Nominations from the floor shall be called for and such nominees, if they have agreed to serve, added to the list of candidates. Each candidate, or designated representative of that candidate, shall have the opportunity to address the delegate assembly on his/her behalf.

Section 2. The candidate receiving the greatest number of votes in a two-candidate slate shall be elected. In the event that there are more than two candidates for a position, and one candidate does not receive a majority of the votes, there will be a run-off election immediately between the two top candidates.

Section 3. Voting shall be by written ballot or voice vote.

ARTICLE XII - DELEGATE ASSEMBLY.

Section 1. A Delegate Assembly shall be held annually as a part of the Association's Annual Meeting. The purposes of the Delegate Assembly are:

- a. To give local units, through their delegates, a voice in the Association's business.
- b. To set dues and to adopt an annual budget. The Executive Board may make necessary budgetary adjustments during the year.
- c. To elect officers for the Association.
- d. To receive, review, and take action on proposed amendments to the Constitution and By-Laws of the Association.
- e. To receive the annual reports of the officers of the Association and from the Chairs of standing committees.

Section 2. The Delegate Assembly shall be composed as follows:

- a. Elected Officers of the Association.
- b. Delegates or their alternates selected from and by their units on a proportional basis according to membership in the Association as follows:
 - 1) Each unit is entitled to two unit delegates, and
 - 2) One additional delegate for each 20 members or major fraction thereof.

Section 3. The President of the Association shall preside at meetings of the Delegate Assembly. In the absence of the President, the First Vice President shall preside.

Section 4. Each delegate shall be entitled to one vote on each issue. If an elected officer of the Association is also a member of a unit's delegation, that officer is entitled to only one vote. Only those delegates in attendance will be allowed to vote. There will be no proxies.

Section 5. Non-delegates are encouraged to attend meetings of the Delegate Assembly but may not be seated in that section reserved for delegates. Non-delegates may be permitted to ask questions and/or address an issue. Rules regarding debate and question, which apply to members of the Delegate Assembly, will apply equally to non-delegates who desire to address the assembly.

Section 6. A quorum shall consist of more than 50% of the delegates registered provided they represent at least 50% of the units in the State.

Section 7. For purposes of determining delegate entitlement, each unit shall submit a list of local unit membership to the Executive Director. These lists will be reviewed to determine the number of Association members, and a written report will be provided to each unit President identifying that unit's entitlement to unit delegates. Based on the notification of entitlement, each unit President shall submit a list of delegates and alternates, all of whom must be members in good standing of the Association and their local unit, to the Executive Director no later than 30 days prior to the convening of the Annual Meeting for purposes of verification and issuance of credentials.

Section 8. Voter eligibility will be based on the delegate assembly system with proportional representation from the various units according to membership in the Association.

Section 9. The cost of sending delegates to the Annual Meeting shall be the responsibility of the unit or the individual.

ARTICLE XIII - FISCAL ACCOUNTABILITY.

The officers of the Association shall be responsible to the membership for the prudent and far-sighted management of Association funds.

Section 1. A detailed budget shall be prepared by the President with the assistance of the Treasurer and the Executive Director. The budget will be approved by the Executive Board and presented to the Delegate Assembly for approval at the Annual Meeting. The Executive Board may make necessary changes during the year.

Section 2. The Treasurer shall prepare and present to the Executive Board a quarterly detailed statement of all income, disbursements, and investments of the Association. Investments of the Association shall be approved by the President and the Executive Director.

Section 3. An annual audit shall be conducted within 45 days after the close of each fiscal year.

Section 4. The Association will comply with operational procedures required in bonding agent contracts necessary for bonding the position of Treasurer and all other persons with financial responsibilities.

ARTICLE XIV – DISBURSEMENTS.

A comprehensive disbursement policy will be developed and enforced by the President and Executive Board. Specifics of the policy will be disseminated to the members of the Association if requested. Association members authorized to attend regular or called meetings will be reimbursed for expenses as prescribed by the Executive Board.

ARTICLE XV – AMENDMENTS.

Section 1. These By-Laws may be amended by a majority of the delegates representing a majority of the Units voting at an Annual Meeting, providing such proposed amendment(s) have been presented to the membership in printed form in the Newsletter, or Website, or to the Local Units prior to the Annual Meeting.

Section 2. Amendments proposed at an Annual Meeting will be sent by the President to the Chair of the Amendments Committee following the Annual Meeting. Individuals and units may send proposed amendments to the President or the Chair of the Amendments Committee at any time. Those amendments received after May 1 of the calendar year will be proposed to the Delegate Assembly at the annual Meeting the following year.

Section 3. All amendments voted on and passed shall become effective January 1st following the Annual Meeting.

Section 4. The Amendments Committee will seek input from the Executive Board and Association members on the amendments being considered before they agree on a recommendation to the Delegate Assembly.


Section 5. All amendments submitted by the Amendments Committee must be approved or rejected as presented. Any suggested changes made on the recommendations made by the Amendments Committee will be referred back to the committee for study and consideration and presented to the Delegate Assembly the following year.

ARTICLE XVI – CONSTITUTION AND BY-LAWS REVIEW AND REVISION.

At least every five years following ratification, the Amendments Committee shall conduct a complete review of the Association's Constitution and By-Laws and make suggestion for revisions.

Amended September 23, 2022

Signed
by


Linda Carr, President

on

5/19/2023

Signed
by


Cynthia Fusco, Secretary

on

5/30/2023