



**New Mexico State Poetry Society, Inc.** (NMSPS or the Society) was organized in Albuquerque, NM, on 19 March 1969. Its original Constitution was adopted in Albuquerque, NM, on 11 October 1969; the Society was incorporated in Santa Fe, NM, on 7 December 1976. A major revision of the Constitution was adopted by unanimous statewide vote on 9 April 2011. We are now amending this document and renaming it the Bylaws and Constitution of the New Mexico State Poetry Society, Inc. This was adopted on [insert date after membership votes to approve].

## BYLAWS AND CONSTITUTION OF THE NEW MEXICO STATE POETRY SOCIETY, INC.

### **ARTICLE I: Name and Mission**

**SECTION A:** The name of this organization shall be the New Mexico State Poetry Society, Inc., referred to hereafter in this document as NMSPS or the Society.

**SECTION B:** The Society is affiliated with the National Federation of State Poetry Societies, Inc. (hereafter referred to as NFSPS or National Federation).

**SECTION C:** The Society is a nonprofit organization devoted to the furtherance of poetry. It is designed to foster literary, historical, and educational pursuits devoted to poetry. NMSPS seeks to affirm the value of poetry both in the public life of New Mexico and the personal life of its citizens. The Society's Mission is to promote the creation and appreciation of poetry throughout the State. To that end, we shall strive to foster excellence in the writing of poetry and engender support and camaraderie among poets.

**SECTION D:** The Society is a tax exempt organization subject to the rules established by the Internal Revenue Service under Section 501(c) (3) of the Internal Revenue Code. Its assets will be used only in the furtherance of poetry. The fiscal year of the Society commences on September 1st and ends on August 31st.

**SECTION E:** The Society is non-political and non-partisan; it may, however, provide information to governmental bodies, nonprofit

organizations, or individual donors to obtain funding for projects consistent with its Mission.

## **ARTICLE II: Membership**

SECTION A: Membership in NMSPS is open to all full- or part-time residents of New Mexico and others who wish to promote the purposes of the Society. All persons interested in advancing the cultural arts in New Mexico, irrespective of whether they call themselves poets, are welcome as members. Members who remit their dues in a timely manner or who are not required to pay dues, as described in Section B below, shall be considered Members in good standing, entitled to all the rights and privileges of membership, with the exception that Youth members may not serve on the Board of Directors.

SECTION B: There shall be three categories of membership: (1) annual, (2) youth, and (3) life.

Subsection 1: Annual members shall remit their dues annually. The amount of annual dues shall be determined by the Board of Directors. The membership year shall begin on November 1 for members who joined the society before January 1, 2018. The membership year for all other members shall begin on the first day of the month after the date they joined the Society.

Subsection 2: Members aged 18-21 shall receive complimentary annual membership until the end of the membership year in which they turn 22.

Subsection 3: The Board of Directors may elect to grant membership to a candidate whose service to the aims of the Society warrants such an action. Dues abatements for financial need may be granted by the Officers of the Society on a case-by-case basis.

Subsection 4: Youth members are persons under eighteen (18) years of age who evidence an interest in poetry or talent in creative writing. Youth members will not be assessed dues, may vote.

Subsection 5: Life membership in the Society may be purchased by any member for a one-time fee of fifteen (15) times the then-standing annual dues. The Board of Directors may elect to offer life membership at a reduced fee or to grant life membership to a candidate whose service warrants such an action. No further dues shall be assessed on life

members. Life members at the time these Bylaws and Constitution are adopted shall retain their status.

Subsection 6: NMSPS annual dues shall include membership in NFSPS. The Society shall pay annual NFSPS dues for all life members, as well as any members to whom it has extended complimentary membership.

#### SECTION C: Resignation or loss of membership

Subsection 1: Any member of NMSPS may resign by indicating that intention in writing to the President and the Board.

Subsection 2: Membership shall be considered lapsed if dues are in arrears.

Subsection 3: Any member may be dropped from membership, for cause, by a majority vote of the Board of Directors.

### **ARTICLE III: Organization and Governance of the Society**

SECTION A: The Society's membership shall be organized into Chapters. An NMSPS Chapter shall be defined as a group of five (5) or more NMSPS members who meet regularly, in person or electronically. NMSPS members are encouraged to join an existing Chapter of their choice or to establish one of their own. They are also welcome as members-at-large.

Subsection 1: Any member of NMSPS is entitled to attend any NMSPS meeting or activity, regardless of which (if any) Chapter they join.

Subsection 2: Each Chapter shall elect a Chairperson to serve as its representative on the Board of Directors.

Subsection 3: Chapters will determine their own meeting places and times. Chapters will determine their own programming, except for the one required business meeting every two years to elect the Chairperson [See Article V, Section C below]. Chapters may request funds from the Society to conduct their programming by following the procedures in Article VII, below.

Subsection 4: Each Chapter Chairperson shall submit a report of Chapter activities at Board of Directors meetings.

SECTION B: The Society shall be governed by a Board of Directors, consisting of the following positions:

Subsection 1: The Officers of the Society: President, Vice President, Secretary and Treasurer, elected every two years by majority vote of the Society's membership.

Subsection 2: The Chairpersons of all Chapters, elected every two years by majority vote of the members of their Chapters.

Subsection 3: The following six additional Directors, appointed by the President annually:

**Membership Chair** (reports on membership and represents the interests of nascent Chapters and at-large members);

**Youth Chair** (oversees the Poets in the Classroom project and any other youth projects and represents the interests of all members under 18 years of age);

**Fundraising/Contests/Publications Chair** (oversees any fundraising activities, secures judges for any contests the Society runs; oversees any publications the Society produces);

**Communications Chair** (oversees all communication to the membership - web site, calendar, newsletter, social media, mailing services, etc.);

**Convention Chair** (organizes the Society's annual State Convention; in years when the Society elects to host the NFSPS annual Convention, this position will be replaced by the National Convention Coordinator, and the Officers of the Society shall chair the State Convention); and

**Chancellor** (a former Officer of the Society, who acts as Liaison to NFSPS, as well as guardian of the Society's principles and Mission and ensures that the Society's activities follow the guidelines set forth in the Society's Bylaws and Constitution).

SECTION C: All members of the Board of Directors must be members in good standing of the Society. Board members will not receive any remuneration but may be reimbursed for legitimate expenses.

#### **ARTICLE IV: Elections and Vacancies on the Board of Directors**

SECTION A: The Society's Officers shall be elected during odd-numbered years for a two-year term. Their terms shall expire after the next election, but they may be elected to consecutive or subsequent terms. Election

shall be by simple majority. The results of the election shall be considered valid when at least 25% of the Society's members in good standing have voted. The previous Officers shall remain in office until this minimum is met.

#### SECTION B: Election Procedure

Subsection 1: All nominating and voting shall preferably be done by electronic means; if a member does not have access to email they may vote by paper ballot (upon request).

Subsection 2: By January 15 of each odd-numbered year, the President shall appoint a Nominating Committee to nominate the next slate of elected Officers. The slate of nominees shall be presented to the general membership by February 15. The Nominating Committee shall accept additional nominations from the membership, until the last day of February, contingent on the nominee's knowledge and consent.

Subsection 3: Voting shall commence on March 1 and conclude on March 31. New Officers will be announced as soon as practical and will take office at the State Convention in April and shall be invested with all appropriate authorities by June 1. If there are any expenses that must be paid prior to the new slate having authority, the outgoing Officers may authorize and pay these expenses.

SECTION C: Chapter Chairpersons shall be elected during even-numbered years at a Chapter meeting in January, February, or March. Their terms shall expire after the next election, but they may be elected to consecutive or subsequent terms. Election shall be by simple majority. The results of the election shall be considered valid when at least 25% of the Chapter's members in good standing have voted. The previous Chairperson shall remain in office until this minimum is met.

#### SECTION D: Vacancies on the Board of Directors

Subsection 1: Should the Presidency become vacant, the Vice President shall assume that office for the remainder of the term. Should any other Board position become vacant, the President, with the approval of the Board of Directors, shall appoint someone to fill the post for the remainder of the term. The duties of the vacant position may be assumed by a sitting Board member until a replacement can be found. The sitting Board member shall not have an additional vote.

Subsection 2: Any Board member may be voted off the Board of Directors for non-performance of duties by a two-thirds (2/3rds) majority of the remaining Board members.

## **ARTICLE V: Business Meetings**

SECTION A: Business meetings are defined as an assembly of members either physically present or communicating electronically in real time with other attendees to conduct the business of the Society.

SECTION B: All business meeting notifications shall preferably be by electronic means; if a member does not have access to email they may vote by paper ballot (upon request).

SECTION C: Only one business meeting is required of a Chapter: every even-numbered year each Chapter must meet to elect a Chairperson to represent the Chapter on the NMSPS Board of Directors. (See Article IV, Section C above.) This business meeting may take place as part of a regular Chapter meeting.

SECTION D: The NMSPS general membership shall meet at least once annually at a State Convention during the month of April. The time and place shall be determined by the Board of Directors and announced to the membership at least one month prior to the Convention. Special meetings of the general membership may be called by the Board at any time, providing the membership is given sufficient time to assemble a quorum.

SECTION E: The Board of Directors shall meet quarterly: October, January, April, and August. The Officers of the Society may meet more often. Interim business meetings of the Board of Directors may be called by the President or at least three (3) members of the Board at least two (2) weeks prior to the meeting. Emergency meetings of the Board may be called by the President or at least three (3) Board members at any time, provided a two-thirds (2/3) majority of the Board is given sufficient time to assemble.

SECTION F: The President shall prepare a written Agenda for each meeting. Appropriate agenda items include Reading and Approval of Minutes, Reports, Unfinished Business, and finally New Business.

## SECTION G: Quorums

Subsection 1: A quorum at the State Convention or a special meeting of the membership shall consist of a minimum of twenty-five percent (25%) of the Society's voting membership.

Subsection 2: A quorum at a Board of Directors meeting shall consist of twenty-five percent (25%) or more of the Board members. A quorum at an emergency Board meeting shall consist of at least two-thirds of the Board members.

Subsection 3: A quorum at a Chapter business meeting shall consist of twenty-five percent (25%) or more of the voting Chapter members and is required only when electing a new Chapter Chairperson.

SECTION H: Minutes shall be kept of all Board and Officers meetings. The minutes of Board meetings shall be reviewed at the beginning of the next Board meeting and shall be accepted by motion after any corrections are made. The minutes of Officers' meetings shall be summarized by the Secretary at the next Officers' meeting and presented as a report at the next Board meeting.

SECTION I: Any issue requiring a vote shall be presented in the form of a Motion. If the Motion is seconded, there will be time allocated to discuss the Motion. When debate is concluded, any Member of the Board may call for a vote or, if more meeting time is required to decide the issue, the Motion may be tabled and re-presented at the next meeting of the Board.

## **ARTICLE VI: Contests**

SECTION A: Memberships in the appropriate State and National Poetry Societies are often prerequisites for entering National Federation contests. Only NMSPS members in good standing may enter such contests. The same requirement shall prevail in NMSPS contests, except those which specifically allow entrance by non-member poets.

SECTION B. The Society may sponsor one or more annual NFSPS contests. The parameters of any sponsored contests are open to change each year by vote of the Board.

SECTION C: The Society may hold its own contests at any time and the Board of Directors will determine and publish guidelines for any such

contests, including guidelines for submissions, judging, prizes, recognition of winners, and any other necessary parameters.

SECTION D: For any NMSPS contests, the Society shall seek contest judges who are not members of the Society.

## **ARTICLE VII: Finances**

SECTION A: The Board of Directors shall decide all financial matters of the Society. Chapters shall not charge separate dues or fees to members.

### SECTION B: Budgeting

Subsection 1: Members of the Board of Directors shall submit annual budget requests at the April Board meeting for the Chapters and/or projects they oversee.

Subsection 2: The Society's Officers shall formulate a budget in July for the upcoming fiscal year, including regular revenue streams, fundraising, regular expenses, Directors' budget requests, and approved proposals for funding poetry projects in the upcoming fiscal year.

Subsection 3: The budget shall be discussed, amended, and approved at the August Board of Directors meeting.

SECTION C: Upon approval of the annual budget, the four Officers of the Board of Directors shall be empowered to disburse budgeted funds.

Subsection 1: All checks shall require two (2) signatures from Officers and receipts or other appropriate documentation.

Subsection 2: Use of the Society's debit and/or credit card instead of a check may be authorized by the Officers for certain recurring expenses or specific purchases. Use of such card(s) will also require receipts or other appropriate documentation.

### SECTION D: Non-budgeted disbursements

Subsection 1: Any non-budgeted disbursement of funds or any budgeted disbursement that will cause the expense category to be over budget will require Board approval before disbursement.



Subsection 2: Proposals for funding non-budgeted poetry projects consistent with the Mission and Bylaws and Constitution of the Society will require the submission of a proposal form as well as approval by the Board before disbursement. Proposal forms may be submitted at any time, but proposals received less than thirty days before a Board meeting may have to be deferred to the next Board meeting for action.

#### SECTION E: Donations

Subsection 1: NMSPS welcomes donations in support of its Mission, as stated in Article I. Anyone who wishes to make a monetary gift or a gift in kind to NMSPS shall receive a letter of appreciation along with a receipt for tax purposes. Such philanthropies shall be honored publicly at the next State Convention.

Subsection 2: Institutions or organizations who make substantial gifts, grants, or gifts in kind to the Society shall be recognized in NMSPS publications and/or venues for their generosity, shall receive a letter and certificate of appreciation from the Society, and shall be given a receipt for tax purposes.

Subsection 3: Donations to the Society may be accepted at any NMSPS meeting or activity. All such donations will be remitted to the Society. Chapters may retain voluntary donations made by their members for specific social activities or refreshments. Chapters shall not maintain bank accounts.

Subsection 4: Donations to the Society will not obligate the Society in any manner.

Subsection 5: If the Treasurer reports a cash balance insufficient to cover the fixed expenses of the Society, the Board of Directors may call for donations from the membership. Any donations that come in as a result will be treated the same as other donations described above.

#### SECTION F: Reporting and Oversight

Subsection 1: The Treasurer shall present a budget-versus-actual report at each Board meeting, together with a copy of the bank statement and bank reconciliation. Financial records and all bank and/or credit/debit card statements and receipts or appropriate documentation shall be available for review by any Board member upon request.

Subsection 2: By December 1 each year, the Treasurer shall prepare an annual report of the prior fiscal year's activities, consisting of a statement of financial position, a statement of cash flows, and a budget-versus-actual report. In the month of December, the President shall appoint two members of the Board to inspect the reports, together with the general ledger, the bank statements, and all supporting documentation.

Subsection 3: At the State Convention each April, the Treasurer shall present the annual report of the prior fiscal year's activities, together with a budget-versus-actual report for the current fiscal year through March.

### **ARTICLE VIII: Dissolution of the Society**

In the event of insolvency or lack of obtaining a reasonable number of members, the organization may consider dissolution. The President shall have the sole power to initiate the dissolution of the NMSPS at his or her personal discretion. The President must submit this recommendation in writing, together with reasons for reaching the decision, to the members of the Board of Directors, at a meeting or by certified mail. Unless an absolute majority of the current Board objects within 15 days of such notification, a special emergency meeting of the Board must be called and, only after the approval of three-quarters (3/4) of the Board, the President may then act to dissolve the Society and distribute the remaining assets in accordance with the Society's Mission (Article I, Section C), and the requirements of the Internal Revenue Code as follows:

SECTION A: Upon dissolution of the Society, the President and the Board of Directors shall undertake as soon as is practical to pay or make provisions for the payment of all liabilities of the Society.

SECTION B: After all liabilities are paid, any remaining assets shall be disposed of so that they exclusively further the purposes of the Society. As the Board shall determine, the assets shall go to literary, historical, or educational program(s) or organization(s) that shall at that time qualify as exempt under Section 501 (c) (3) of the Internal Revenue Code (or the corresponding provision of any future United States Internal Revenue Law).

SECTION C: The Society must also obtain and submit all appropriate forms related to dissolving nonprofit organizations from Federal and State authorities.

### **ARTICLE IX: Amendments**

SECTION A: Amendments to these Bylaws and Constitution require prior written notice either by email or other appropriate means. There must be a second notice sent four weeks later and only then is a vote allowed. Amendments require two-thirds majority of the NMSPS voting membership, with at least twenty-five percent (25%) of the voting membership returning their vote.

SECTION B: All amendments to these Bylaws and Constitution must be incorporated in the text of this document, and all older versions shall be attached as an appendix.

### **ARTICLE X: Severability and Liability**

SECTION A: The NMSPS is subject to applicable Local, State, and Federal laws.

SECTION B: If any provision does not comply with such laws, the remainder of the Bylaws and Constitution will still be intact and enforceable.

SECTION C: The Officers of the NMSPS shall not have any personal liability as long as they comply with Local, State, and Federal laws.

These Bylaws and Constitution take effect immediately upon ratification.  
Date: [[insert date]]

To Whom It May Concern:

This is a true and accurate copy of the current Bylaws and Constitution of the New Mexico State Poetry Society, Inc.

The document [will be signed by the below-listed Officers of NMSPS after membership votes to approve]:

Bernadette Perez, President NMSPS

Dino de Leyba, Vice President, NMSPS,

Cyvil Burks, Sr., Secretary

Terri D. Klein, Treasurer NMSPS

## Appendix

### Previous Constitutions and Amendments to Previous Constitutions

#### 2011 Constitution

New Mexico State Poetry Society, Inc. (NMSPS or the Society) was organized in Albuquerque, NM, on 19 March 1969. Its original Constitution was adopted in Albuquerque, NM, on 11 October 1969; the Society was incorporated in Santa Fe, NM, on 7 December 1976. The following major revision of the Constitution was adopted by unanimous statewide vote on 9 April 2011.

CONSTITUTION of the NEW MEXICO STATE POETRY SOCIETY, INC.

#### ARTICLE I: Name

The name of this organization shall be the New Mexico State Poetry Society, Inc., referred to hereafter in this document as the NMSPS or the Society.

#### ARTICLE II: Description, Purposes, and Principles

**Section 1.** The NMSPS is a poetry organization within the State of New Mexico affiliated with the National Federation of State Poetry Societies, Inc. (NFSPS or National Federation) and any other organizations chosen by the members whose purposes are in agreement with those of the NMSPS.

**Section 2.** The NMSPS is a nonprofit society dedicated to the furtherance of poetry throughout the State and elsewhere. It recognizes the importance of poetry to cultural welfare and will assert this importance by its support. The purposes of the Society are exclusively literary and educational; therefore, in the event of the dissolution of the Society, in accordance with Article XI, its assets will be distributed for literary, historical, and educational purposes to such organizations as are tax exempt under Section 501(c) (3) of the Internal Revenue Code.

**Section 3.** The NMSPS is nonpolitical and nonpartisan; it will not participate in political campaigns or endorse partisan causes. The Society may, however, provide New Mexico governmental branches with information that bears directly on the Society's mission, such as funding for the arts or the as yet (in 2011) unrealized post of NM State Poet Laureate.

#### ARTICLE III: Membership

**Section 1.** Membership in the NMSPS is open to all residents of the State and

others who wish to promote the purposes of the Society. All persons interested in advancing the cultural arts in New Mexico, irrespective of whether they call themselves poets, are welcome as members. Members are encouraged to join an existing chapter or establish one in their own locale, but when that is impractical, they are welcome as members-at-large. There shall be five categories of membership: (1) annual, (2) sustaining, (3) youth, (4) life, and (5) sponsoring.

**Section 2.** Annual members shall have the right to attend and vote at the State Convention held each May and at any other general membership meetings; vote at their home chapter meetings; hold office; be kept informed about actions taken by the Executive Board; and have access to newsletters, contests, and other activities promoted by either the NMSPS or the National Federation. They may attend meetings of the Board but will not have voting privileges.

**Section 3.** Sustaining members are persons who do not consider themselves poets but wish to support the activities and cultural objectives of the NMSPS on a regular basis. They shall have the same rights and responsibilities as annual members and shall pay the same dues.

**Section 4.** Youth members are persons under eighteen (18) years of age who evidence an interest in poetry or talent in creative writing. They become youth members upon payment of a youth membership fee after recommendation by a responsible adult sponsor. Youth members shall have all rights of annual members except that of holding elected office.

**Section 5.** Life members shall be those persons who have been elected an Honorary Chancellor or who, because of long and extraordinary service to the Society, are nominated by the Executive Board and elected life members at the next State Convention. Elected life members shall not be asked to pay dues.

Annual members may also choose to pay a lifetime membership fee of fifteen (15) times the annual dues pertaining at the time of purchase.

Anyone who has been a member for thirty (30) years or who has been a member for fifteen (15) years and reached the age of seventy-five (75) shall thereafter pay one-half the annual membership fee, or may instead elect to pay a one-time fee of fifty dollars (\$50) to become a life member.

Life members at the time this Constitution is adopted shall retain their status under the revised Constitution.

**Section 6.** Sponsoring members are those individuals, institutions, or organizations who make substantial gifts, grants, or gifts in kind to the Society to support its mission. Such sponsors shall receive the NMSPS newsletter for one year following receipt of the gift, shall be recognized in NMSPS publications or venues for their generosity, shall receive a certificate of appreciation from the Society, and shall be given a receipt for the donation that they can use for tax purposes. However, they shall have no say in determining Society policies, nor will they obtain the Society's endorsement of any political, religious, or partisan cause. If their purposes are the same as the Society's, then the NMSPS may affiliate with them at the discretion of the Executive Board, as noted in Article II, Section 1.

Any member of the Society who wishes to make a monetary gift or a gift in kind for the purpose of funding a scholarship, sponsoring a contest, or contributing significantly to some other NMSPS project, shall receive a letter and certificate of appreciation along with a receipt for tax purposes. Such philanthropies shall be honored publicly at the next State Convention.

**Section 7.** Any officer or member of the NMSPS may resign his/her membership by indicating his/her intention in writing to the President and the Board.

Any member may be dropped from membership, after reasonable deliberation, by a majority vote of the Executive Board. Any member whose dues have been delinquent for more than sixty (60) days may be dropped at the recommendation of the Board.

#### **ARTICLE IV: Officers and Terms of Office**

**Section 1.** The governance of the Society shall reside in an Executive Board formed by combining an Elected Board and an Appointed Board.

(A) The Elected Board shall be elected during odd-numbered years at the State

Convention held in May. The officers on this board include the following, who shall take office upon their election:

(1) President

(2) *Vice President*

(3) *Treasurer*

(4) *Secretary*

(5) *Chancellor (usually the Immediate Past President)*

The terms for officers listed above shall expire when a new slate of officers is elected at the State Convention of each odd-numbered year, but they may be elected to consecutive or subsequent terms. Should the presidency become vacant, the Vice President shall assume that office. Should any other Elected Board office become vacant, the President, with the approval of the Executive Board, shall appoint someone to fill the post for the remainder of the term.

(5) *Chapter Chairpersons* who have been duly elected by their local chapters are members of the Elected Board ex officio. They shall serve for the term of their chapter chairmanship.

(6) *Honorary Chancellors* are members of the Elected Board ex officio; their terms do not expire. They shall not be required to pay dues or function in any official capacity. They may, however, hold other offices in the NMSPS upon election with their own consent. They shall have voting privileges on the Executive Board.

**(B)** The Appointive Board includes the leaders of active project teams established by the Executive Board. Appointed Project Leaders are voting members of the Executive Board as long as the project team is active. They serve at the pleasure of the President, who may dissolve or reorganize the team and select another Project Leader at his/her personal discretion.

**Section 2.** All Past Presidents of the NMSPS are invited to serve as honorary advisers to the Executive Board. They are welcome to attend and speak at any Board meeting, but they will not cast a ballot except in the case of a tie vote.

Past Presidents may hold other offices in the NMSPS upon election or appointment with their own consent, and shall be granted voting privileges on the Board that pertain to the office.

## **ARTICLE V:** Election of Officers

**Section 1.** By 15 January of each odd-numbered year, the President shall appoint a team to nominate the next slate of elected officers. The team shall consist of a

Project Leader and two other members; the President shall endeavor to obtain representation on the team from as wide a variety of NMSPS chapters as possible.

**Section 2.** The Nominating Team shall present a slate of nominees to the general membership at least one month prior to the State Convention in May. Suggestions for selecting nominees can be found in the Policies and Procedures Supplement to this document. Nominations may also be made from the floor at the State Convention, with the nominee's consent.

**Section 3.** A majority of votes cast by a quorum of members during the State Convention shall constitute an election. If no quorum is assembled, the previous officers will remain in office until the earliest time that a membership quorum can meet to hold an election.

#### **ARTICLE VI: Quorums**

**Section 1.** One-fourth of all dues-paying members eligible to vote shall constitute a quorum for all membership meetings.

**Section 2.** Three members, plus as many members as shall equal one-third of the number of Chairpersons of active and properly organized chapters, shall constitute a quorum for routine Executive Board meetings or those called with two (2) weeks' notice.

#### **ARTICLE VII: Meetings**

**Section 1.** Meetings are defined as an assembly of members either physically present or communicating electronically in real time with other attendees.

**Section 2.** The NMSPS general membership shall meet at least once annually at a State Convention during the month of May. The time and place shall be determined by the Executive Board and announced to the membership at least one month prior to the Convention. The Board shall endeavor to rotate the Convention site among regions that have established chapters.

**Section 3.** The Executive Board shall meet at least twice a year, but preferably more often. At the writing of this Constitution in 2011, the Executive Board met quarterly. Interim business meetings of the Board may be called by the President or at least three (3) members of the Board at least two (2) weeks prior to the meeting. Emergency meetings may be called by the President or at least three (3) Board



members at any time, provided a majority of the Board (and not just a quorum as defined in Article VI, Section 2) is given sufficient time to assemble.

**Section 4.** Special meetings of the general membership may be called by the Board at any time, providing the membership is given sufficient time to assemble a quorum.

**Section 5.** Chapters will determine their own meeting places and times.

#### **ARTICLE VIII: Chapters**

**Section 1.** Chapters of the New Mexico State Poetry Society may be formed by any group of five (5) or more persons who wish to further the purposes of the Society.

**Section 2.** Each chapter shall elect a Chairperson and any other officers it requires. A chapter may charge additional dues or fees to its members in order to carry out its own program of activity. If a chapter imposes fees on its members, then the chapter must submit a written financial statement at the State Convention. Voluntary donations by chapter members for social activities, refreshments, etc. do not require that a financial statement be submitted. Chapter activities will not be financed by the Society.

**Section 3.** All chapter members must maintain membership in the State Society.

**Section 4.** Each chapter shall submit a written report of its activities at the State Convention. This report is usually the responsibility of the Chapter Chairperson; new Chairpersons should seek help from their predecessors in compiling the report.

#### **ARTICLE IX: Dues, Fees, and Assessments**

**Section 1.** Members shall be expected to remit their dues by 1 November so that the Society can comply with NFSPS timetables to verify that State Societies' members who enter National Contests are entitled to do so at member rates.

The NMSPS shall prorate dues quarterly. Thus, should a person become a new member after the first quarter (currently 1 November-31 January) of the dues year, the amount of dues will be reduced by one-quarter for each three months lapsed since the beginning of the year.

**Section 2.** The Executive Board will set the rate for dues using the guidelines set forth in the Policies and Procedures Supplement of this Constitution. Dues shall not be modified more than once in a 12-month period unless such action is approved by an absolute majority of members.

**Section 3.** Society annual dues shall include membership in the National Federation and receipt of NFSPS and NMSPS newsletters for the concurrent dues year. Members shall be asked to access the newsletters electronically, whenever possible, to minimize costs the Society incurs to print and mail paper copies.

**Section 4.** The Executive Board may make, but is not absolutely required to make, emergency assessments to the membership at any time when the Treasurer reports a cash balance of less than one-thousand dollars (\$1,000) . Such assessments shall not be for more than the annual dues in effect at the time the assessment is made. No member need pay the assessment against his/her will; but any member more than sixty (60) days in arrears paying an authorized assessment will not be allowed to hold office or to vote in the Society's elections for a period of one year from the date on which the assessment was levied, unless he/she pays it prior to voting or taking office.

#### **ARTICLE X: Contests**

**Section 1.** Memberships in the appropriate State and National Poetry Societies are often prerequisites for entering National Federation contests. Only dues-paying members may enter such contests. The same requirement shall prevail in State contests except those which specifically allow entrance by nonmember poets. The Society may be asked to sponsor an annual NFSPS contest. For many years, the NMSPS has sponsored the national contest titled, Our American Indian Heritage Award.

**Section 2.** For purposes of this Article, life members and Honorary Chancellors shall be considered dues-paying members.

**Section 3.** For any State contests, the NMSPS shall seek contest judges who are not members of the Society. The Executive Board shall decide, prior to asking a person to be a judge, whether that person will be offered an honorarium and, if so, its amount. Guidelines are offered in the Policies and Procedures Supplement to this Constitution.

## **ARTICLE XI: Dissolution of the Society**

**Section 1.** The President shall have the sole power to initiate the dissolution of the NMSPS at his/her personal discretion. If he/she so decides, he/she shall submit this decision in writing, together with reasons for reaching the decision, to the members of the Executive Board, at a meeting or by certified mail. Unless an absolute majority of the current Executive Board objects within 15 days of such notification, the President may then act to dissolve the Society and distribute the remaining assets in accordance with Article II and the requirements of the Internal Revenue Code as follows:

Upon dissolution of the Society, the President and the Executive Board shall, after paying or making provision for the payment of all liabilities of the Society, dispose of all its assets so that they exclusively further the purposes of the Society. As the Board shall determine, the assets shall go to literary, historical, or educational program(s) or organization(s) that shall at that time qualify as exempt under Section 501 (c) (3) of the Internal Revenue Code (or the corresponding provision of any future United States Internal Revenue Law). Any such assets not so disposed of shall be dispersed by the Court of Common Pleas of the county in which the principal office of the corporation is then located, exclusively for such purposes or to such organization(s) as said Court shall determine are dedicated to purposes congruent with those of the Society.

Under NM Administrative Code (NMAC) 12.3.3.8, the Society must also obtain from the NM Public Regulation Commission those forms related to dissolving nonprofit organizations. It shall comply with the requirements for dissolution provided in NM Statutes Annotated (NMSA) 1978 Sections 53-8-47 through 53-8-49 and must file Articles of Dissolution that comply with NMSA 1978 Section 53-8-51 and 53-8-52.

The Society may cancel voluntary dissolution proceedings as provided in NMSA 1978 Section 53-8-50. It may also go into Dormant Status by filing a statement that it is no longer actively engaged in business in New Mexico; it can revive its active status by complying with NMSA 1978 Section 5-8-88.1. It is recommended that, should the Society take any of these paths, it carefully check the pertinent State and IRS regulations then in force.

**Section 2.** If the Executive Board chooses to continue the NMSPS despite the President's recommendation for dissolution, it shall accept the President's resignation if offered, and the highest ranking active officer, in the order in which officers are enumerated in Article IV, Section 1, shall become President for the unexpired term.

**ARTICLE XII: Amendments**

This Constitution may be amended at any meeting of the NMSPS general membership by two-thirds vote of a quorum assembled, provided the amendment is presented to the membership at least two (2) weeks prior to the meeting. Ratification may also be made by mailed ballots, in which case an absolute majority of current members must be obtained for amendment. This Constitution takes effect immediately upon ratification.

Date: 09 April 2011

To Whom It May Concern:

This is a true and accurate copy of the current Constitution of the New Mexico State Poetry Society, Inc.

The document was signed by:

Bonnie K. Rucobo, President NMSPS

Elaine G. Schwartz, Vice President, NMSPS

Shirley J. Blackwell, Chancellor, NMSPS and Chair of Constitutional Revision Committee

## **NMSPS Constitutional Amendments**

Approved by a vote of the general membership, March 2, 2012

### **ARTICLE II: Membership, Section 4.**

Youth members are persons eighteen (18) years of age and under who evidence an interest in poetry or talent in creative writing.

### **ARTICLE VI: Quorums, Section 2.**

One-fourth of the currently sitting Executive Board shall constitute a quorum for routine Executive Board meetings or those called with two (2) weeks' notice.

### **ARTICLE VII: Meetings, Section 2.**

The NMSPS general membership shall meet at least once annually at a State Convention annually at a State Convention scheduled as near as is practical to April 9.



The following Constitutional Amendments were adopted by the NMSPS membership on April 26, 2016.

**Amendment 1. ARTICLE X: Contests, Section 1.**

According to the National Federation of State Poetry Societies, a State may change the name of its contest annually. However, our constitution currently specifies the contest name as follows: “For many years, NMSPS has sponsored the national contest titled, Our American Indian Heritage Award.”

**Therefore, the constitution wording shall be amended as follows:**

For many years, NMSPS has sponsored a national federation contest. The parameters of the contest are open to change each year by vote of the Board, including the poem’s subject, form, and line length; the contest title and entry requirement (i.e., member vs. non- member); and the contest prize amounts for 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> place winners.

**Amendment 2. ARTICLE III: Membership, Section 1**

A new category of membership, Student, shall be added, thus changing the total number of membership categories from five (annual, sustaining, youth, life, and sponsoring) to six.

**Therefore, the constitution wording shall be amended as follows:**

The membership category of Student qualifies the student for a discounted member rate at 50% of regular annual membership. For the purposes of Student membership, students are defined as those 18 and older who are enrolled in a certificate or degree program at a community college, college, or university, either part- or full-time. Students will be asked annually to identify the institution and program of study. Students who graduate, complete a

program, or otherwise separate from the institution will not be eligible for student membership the following member year.

**Amendment 3. ARTICLE VIII: Chapters, Section 2**

We propose to define “chapter activities” and to state clearly that Society funds are available by request for chapter outreach. The constitution now reads: “Chapter activities will not be financed by the Society.”

**Therefore, to clarify, we propose the following changes/additions to the constitutional wording:**

Chapter activities (i.e., those that benefit **only** the chapter’s own members, such as refreshments, materials, social activities, or workshop honoraria) will not be financed by the Society. However, Chapter Chairs may apply for funds from the State to host **outreach** events and activities in their communities outside the regular operation and sole benefit of the chapter itself.

## **1969 Constitution**

The *New Mexico State Poetry Society, Inc.* was organized in Albuquerque, New Mexico, on March 19, 1969. A constitution was adopted in Albuquerque, NM, October 11, 1969; and the Society was incorporated in Santa Fe, New Mexico, December 7, 1976.

CONSTITUTION of the NEW MEXICO STATE POETRY SOCIETY, INC.

### **ARTICLE I: Name**

The name of this organization shall be the New Mexico State Poetry Society, Inc.

### **ARTICLE II: Description and Object**

The New Mexico State Poetry Society, Inc. is a poetry organization within the State of New Mexico, affiliated with the

National Federation of State Poetry Societies, Inc., and any other organizations chosen by the members whose purposes are in agreement with those of the NMSPS. It is a non-profit Society, dedicated to the furtherance of poetry. It recognizes the importance of poetry to cultural welfare in the state and elsewhere, and is dedicated to asserting this importance by its support.

The New Mexico State Poetry Society is non-political; it will not participate in political campaigns nor devote its activities to influencing legislation. The purposes of the Society are exclusively literary and educational; therefore, in the event of the dissolution of the Society in accordance with Article XIII, its assets will be distributed for literary, historical and educational purposes to such organizations which are tax exempt under Section 501(c) (3).

### **ARTICLE III: Membership**

**Section 1.** Membership in the New Mexico State Poetry Society, Inc., is open to all residents of the State and others who wish to forward the purposes of the Society. Both poets and people who are not poets, but who are interested in advancing the cultural arts in New Mexico and elsewhere, are welcome as members.

**Section 2.** Life members shall be those persons who have been elected Honorary Chancellors, and those who elect to pay Life-Time Membership fee.

**Section 3.** Any officer or member of the New Mexico State Poetry Society, Inc., may resign his/her membership by indicating his/her intention in writing to the President and to the Corresponding Secretary.



Any member may be dropped from membership, after reasonable deliberation, by a majority vote of the Executive Board. Any member whose dues have been delinquent for more than 60 days shall be dropped.

**Section 4.** A Membership Chairperson shall be appointed by the President of the Society at the President's discretion. The appointee shall serve for the term of office of the President. He/she shall work with the President, Board, and the Publicity Chairperson with the following duties: 1) secure new chapters and members to the Society, 2) seek to keep members informed as to events and happening of the Society, 3) assist members by bringing forth their ideas to the President and Board, when a member is unable to do so

#### **ARTICLE IV: Officers**

**Section 1.** The officers of the New Mexico State Poetry Society, Inc., shall be the following: president, First Vice-President, Second Vice-President, Recording Secretary, Corresponding Secretary, Treasurer, and two Elected Chancellors. In addition, if the Executive Board recommends, one or two additional Vice-Presidents may be elected. it is recommended that, if possible, several cities be represented on the Executive Board.

**Section 2.** Honorary Chancellors may be elected for life terms, at the recommendation of the Executive Board, by a majority vote of the membership present at an Annual Meeting. Honorary Chancellors shall not be required to pay dues or function in any official capacity. They may, however, hold other offices in the NMSPS upon election with their own consent.

**Section 3.** Officers of the New Mexico State Poetry Society, Inc., shall be elected at an Annual Meeting held in May of each odd-numbered year, and shall take office upon their election. In February of each odd-numbered year, the President shall appoint a Nominating Committee consisting of a Chairperson and two members. This committee shall present a slate of officers at the April meeting. Nominations may also be made from the floor. A majority of votes cast among a quorum of members present at the Annual Meeting shall constitute an election. If a quorum is not present, the previous officers will remain in office until the earliest time that a membership quorum can be assembled to hold an election.

#### **ARTICLE V: Duties of Officers**

**President:** The President shall preside at all meetings of the Society and of the Executive board; shall call special meetings at his/her discretion; shall appoint chairpersons to all committees; shall appoint special committees; shall fill

vacancies in office with the approval of the Executive Board; shall prepare with the assistance of the Board an agenda of meetings; shall present an annual report at the May meeting; shall deal in all administrative and official ways in behalf of the Society as specified elsewhere in this constitution and as conditions may require; and shall act in general to promote the purposes of the Society.

The President shall appoint each year the following Standing Committees: Contest, Hospitality, Membership, Publicity, Yearbook and Program. Chairpersons of Standing Committees shall be members of the Executive Board.

**First Vice-President:** The First Vice-President shall assist the President as requested; in the absence of the President, the First Vice-President shall perform all the duties of that office.

**Second Vice-President:** The Second Vice-President shall coordinate the activities of the Secretaries and the Treasurer, and make periodic status reports to the President.

**Third and Fourth Vice-Presidents:** These are optional officers. If elected, their duty is to assist the President. Each may be appointed by the President to serve as Chairperson of a Standing Committee, if he/she deems advisable.

**Recording Secretary:** The Recording Secretary shall maintain and preserve records of the New Mexico State Poetry Society, Inc.,(NMSPS), including the minutes of conventions, meetings, and Board meetings. The Recording Secretary shall maintain an accurate roster of members, notify them of meetings, and mail annual dues notices, if so directed by the Executive Board.

**Corresponding Secretary:** The Corresponding Secretary shall maintain and preserve correspondence of the NMSPS; shall read special and pertinent communications to meetings; shall notify officers, if elected in absentia; shall send letters of congratulation, sympathy, etc, as directed by the Society and its officers.

**Treasurer:** The Treasurer shall be responsible for receiving and disbursing all monies having to do with the NMSPS. All payments must be approved by the Board, with the following exceptions: 1) payment of National Federation assessment; 2) payment for copies of approved publications sent to members; 3) reimbursement for postage, bank charges, and other necessary routine business of the Society.

The Treasurer shall read an annual financial report at the Annual Meeting and present it to the secretary for preservation.

**Elected Chancellors:** Elected Chancellors are selected by the Society to advise members on extra-organizational cultural matters. They shall serve as advisors to the President and the Board when called upon to do so.

**Honorary Chancellors:** Honorary Chancellors shall have no responsibilities as officers. They may, however, hold other offices in the NMSPS upon election, with their own consent. Because of their attainments, their support adds luster to the Society and to its purposes.

#### **ARTICLE VI: Meetings**

**Section 1.** The NMSPS membership shall meet at least once annually, during the month of May, at a time and place determined by the Board.

**Section 2.** The Executive Board shall meet at least twice a year, in the Spring and in the Fall. Special meetings of the Board may be called by the President or at least three (3) members of the Board at least two (2) weeks prior to the meeting.

**Section 3.** in addition to the annual meeting, the Society may hold regular meetings at times and places recommended by the Executive Board from September through May. Special meetings may be called by the Board at any time, including the Summer.

#### **ARTICLE VII: Chapters**

**Section 1.** Chapters of the New Mexico State Poetry Society may be formed by any group of five (5) or more people who wish to further the purpose of the Society.

**Section 2.** Each Chapter may elect its own chairperson, Secretary and Treasurer, and may charge additional dues to its members in order to carry out its own program of activity. Chapter activities will not be financed by the Society. Chapter Treasurers must submit a written financial statement at each Annual Meeting of the NMSPS.

**Section 3.** All Chapter members must maintain membership in the State Society.

**Section 4.** Each Chapter shall submit a written report of its activities at each Annual Meeting of the NMSPS.

## **ARTICLE VIII: Dues, Fees and Assessments**

**Section 1.** A member shall renew membership in the Society by paying dues during the month in which that person's membership became effective the previous year.

**Section 2.** The rate of dues shall be set at the Annual Meeting, by action of the majority of a quorum present, upon the recommendation of the Executive Board. If no change in dues is voted at this meeting, the former rate of dues shall prevail during the year following. Initial dues rates shall be:

Annual Membership - \$15.00

Sustaining Membership - \$15.00

Youth Membership - \$5.00

Life Membership - \$100.00

**Section 3.** Life Membership shall last for the life of the member or of the NMSPS.

**Section 4.** Any persons under 18 years of age, who evidence an interest in poetry or talent in creative writing, may become Youth Members upon payment of a Youth Membership fee after recommendation by a responsible adult sponsor. Youth members shall have all rights of full members except those of voting and of holding office.

**Section 5.** Society dues shall include the cost of newsletters for one year; and membership in the National Federation of State Poetry Societies for one year at the option of the Executive Board.

**Section 6.** At the discretion of the Executive board, but not before July 1, 1970, an initiation fee in an amount specified by the Board may be charged to new members of the Society.

**Section 7.** The Executive Board may, but is not absolutely required, to make emergency assessments to the membership at any time when the Treasurer reports a cash balance of less than \$100. Such assessments shall not be for more than the annual individual dues in effect at the time the assessment is made. no member need pay the assessment against his/her will; but any member more than 60 days in arrears paying an authorized assessment will not be allowed to hold office or to

vote in the Society's elections for a period of one year from the date on which the assessment was levied, unless he/she pays it prior to voting or taking office.

#### **ARTICLE IX: Boards**

**Section 1.** The Executive Board of the NMSPS shall consist of all elected officers, Chairpersons of Standing Committees, all

past presidents of the NMSPS, who will be members ex-officio with full rights, including voting privileges, the Chairperson of each Chapter active and properly organized in accordance with Article VII, and as many more members, not to exceed five, as may be appointed by the President to serve as Board Members.

**Section 2.** The terms of members of the Executive Board shall expire at the Annual Meeting of each odd-numbered year. Appointive Board Members may resign at any time, and need not be replaced.

#### **ARTICLE X: Quorum**

**Section 1.** Ten members shall constitute a quorum for all membership meetings.

**Section 2.** Three members, plus as many members as shall equal one-third of the number of Chairpersons of active and properly organized Chapters, shall constitute a quorum for Executive Board meetings.

#### **ARTICLE XI: Committees**

**Section 1.** Committee Chairpersons may be appointed by the President as need arises. Committees may include:

Newsletter; Nominating; Program, Publications; Publicity and Public Relations; Membership, Education (to work with youth); Contest, and others. (At the time this Constitution was amended, the Standing Committees consisted of Hospitality, Program, Contest, Yearbook and Publicity.)

**Section 2.** Each Chairperson shall have the prerogative of appointing his/her own committee members, subject to the President's approval, although he/she may seek the assistance of the President or Board to obtain suitable committee members.

#### **ARTICLE XII: Contests**

**Section 1.** Memberships in the appropriate State and National Poetry Societies are normally prerequisites for entering some of the National Contests. Only dues-paying members may enter such contests. The same requirement shall prevail in

State contests except those which specifically allow entrance by non-member poets.

**Section 2.** For purposes of this Article, Life Members and Honorary Chancellors shall be considered dues-paying members.

**Section 3.** Members and others may be invited to contribute small amounts toward contest prizes. Many State Societies hold small monthly contests plus a large annual contest: this procedure is recommended for New Mexico. The Contest Chairperson and his/her committee shall be responsible for obtaining suitable judges from the membership or elsewhere. (At the time this Constitution was amended, it was customary to obtain judges from outside the membership of NMSPS.)

### **ARTICLE XIII: Dissolution of the Society**

**Section 1.** The President shall have the sole power to initiate the dissolution of the NMSPS at his/her personal discretion. If he/she so decides, he/she shall submit this decision in writing, together with reasons for reaching the decision, to the members of the Executive Board, at a meeting or by certified mail. Unless an absolute majority of the current Executive Board objects within 15 days of such notification, the President may then act to dissolve the Society and distribute the remaining assets in accordance with Articles II and the requirements of the Internal Revenue Code as follows: Upon dissolution of the Society, the President the Executive Board shall, after paying or making provision for the payment of all liabilities of the Society, dispose of all assets of the Society exclusively for the purpose of the Society in such manner, or to such literary, historical or educational organization or organizations that shall at that time qualify as an exempt organization under Section 501 (c) (3) of the Internal Revenue Code (or the corresponding provision of any future United States Internal Revenue Law), as the Executive Board shall determine. Any such assets not so disposed of shall be disposed of by the Court of Common Pleas of the county in which the principal office of the corporation is then located, exclusively for such purposes or to such organization or organizations, as said court shall determine, which are organized and operated exclusively for such purposes.

**Section 2.** If the Executive Board chooses to continue the NMSPS despite the President's recommendation for dissolution, it shall accept the President's resignation if offered, and the highest ranking active officer in the order in which officers are enumerated in Article IV, Section 1, shall serve the President's unexpired term.

**ARTICLE XIV: Amendments**

This Constitution may be amended at any meeting of the NMSPS by two-thirds vote of a quorum present, provided the amendment is presented to the membership at least two (2) weeks prior to the meeting. Ratification may also be made by mailed ballots, should they be deemed advisable, in which case the vote of a majority of current members must be obtained for amendment.

(Date)

To Whom It May Concern:

This is a true and accurate copy of the current Constitution of the New Mexico State Poetry Society.

\_\_\_\_\_ President NMSPS

\_\_\_\_\_ First Vice-President,  
NMSPS