

# NEW MEXICO Council for Purchasing from Persons with Disabilities

## BYLAWS

Adopted: August 4, 2021

### ARTICLE I

#### PURPOSE

The purpose of these bylaws is to provide for the proper and efficient administration of the New Mexico Council for Purchasing from Persons with Disabilities, hereafter "Council," and to further the purposes set forth in the State Use Act.

### ARTICLE II

#### MEMBERSHIP

The membership of the Council shall be comprised of persons appointed as set forth in the State Use Act.

### ARTICLE III

#### OFFICERS AND EXECUTIVE COMMITTEE

Officers shall be elected at the first meeting of each calendar year, or as may otherwise be necessary to fill vacant positions. The officers shall consist of a Chairperson, a Vice-Chairperson, and a Secretary. The officers shall constitute an executive committee.

As allowed by the Open Meetings Act, the Chairperson or the Executive Committee may be authorized to make decisions pending action by the full Council, or be delegated certain duties and responsibilities.

### ARTICLE IV

#### COMMITTEES

The Chairperson may appoint such standing and ad hoc committees as may be necessary to further the business of the council, provided that no committee shall constitute a quorum as set forth in the State Use Act. The committees may also include persons who are not Council members, but who have subject-matter or other expertise.

### ARTICLE V

#### MEETINGS

The Council shall meet at least four times annually, and all meetings shall be conducted in accordance with the Open Meetings Act. A quorum for conducting business shall consist of a minimum of seven members as set forth in the State Use Act. Should a quorum not be established, the members present may dissolve into a committee, provided that no vote or action may be taken that would require a quorum.

## ARTICLE VI

### ATTENDING BY PHONE OR OTHER SIMILAR COMMUNICATIONS EQUIPMENT

As allowed by the Open Meetings Act, a member of the Council may attend by conference telephone or other similar communications equipment, including Internet-based technologies. However, such attendance is allowed only when it is otherwise difficult or impossible for the member to attend, and only at the discretion of the Chairperson. In addition, each member thus participating must be identified when speaking, all participants must be able to hear each other at the same time, and the public must be able to hear any member who speaks during the meeting.

In the event that the Governor declares a state of emergency due to the spread of an infectious disease, due to the spread of chemical, biological, or radiological hazards, or due to some other comparable disaster or emergency, and if postponing one or more items of business until the conclusion of the state of emergency would be inconsistent with the proper and efficient operation of the Council, the New Mexico Council for Purchasing from Persons with Disabilities may hold a meeting designed to preserve the health and safety of the public while also adhering to the purposes of the Open Meetings Act. This shall consist, where possible, of the members of the Council appearing telephonically or by video webcast, with the public able to observe the proceedings at both a physical location and a video webcast or telephonic location. However, where such arrangements are not possible due to public health or safety concerns, and at the election of the Chairperson, or of the Vice Chairperson should the Chairperson be unavailable, the Council may meet virtually through video or telephonic methods.

## ARTICLE VII

### PARLIAMENTARY PROCEDURE

The current edition of Robert's Rules of Order shall serve as a general guide for the conducting of meetings. However, the failure to act in accord with Robert's Rules of Order shall not negate or nullify any action of the Council.

## ARTICLE VIII

### CONDUCT

The members of the Council agree to abide by the terms and provisions of the Governmental Conduct Act, including but not limited to the following provisions of the Governmental Conduct Act:

- A. Council members shall treat Council membership as a public trust, using the powers and resources of membership only to advance the public interest and not to obtain personal benefits or pursue private interests incompatible with the public interest.
- B. Council members shall conduct themselves in a manner that justifies the confidence placed in him by the people, at all times maintaining the integrity and discharging ethically the high responsibilities of public service.
- C. Full disclosure of real or potential conflicts of interest shall be a guiding principle for determining appropriate conduct. At all times reasonable efforts shall be made to avoid undue influence and abuse of office in public service.
- D. No Council member may request or receive, and no person may offer a Council member, any money, thing of value or promise thereof that is conditioned upon or given in exchange for promised performance of an official act.
- E. A Council member shall disqualify himself from engaging in any official act directly affecting his financial interest.

#### ARTICLE IX

#### WHISTLEBLOWER PROTECTION

The New Mexico Council for Purchasing from Persons with Disabilities affirms that it is the policy of the Council that no individual shall be discharged, demoted, suspended, threatened, harassed, denied a contract or in any other manner be discriminated against for disclosing to the Council, the State Purchasing Agent, the Office of the State Auditor, the Office of the Attorney General, or other appropriate state or federal officials information that the individual reasonably believes is evidence of mismanagement of a State Use Act contract, a waste of state or federal funds, an abuse of authority relating to a State Use Act contract, a danger to public health or safety, or that otherwise constitutes a violation of law, rule, or regulation.

#### ARTICLE X

#### AMENDMENTS

These by laws may be amended by a majority vote of the Council members present at any regular or special meeting at which a quorum is present, provided a written notice of the proposed change has been provided to each member of the Council at least five days prior to the meeting.

  
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LISA DIGNAN, CHAIR

8.5.2021  
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DATE