



STATE ETHICS COMMISSION

Hon. William F. Lang, Chair
Jeffrey L. Baker, Member
Stuart M. Bluestone, Member
Hon. Garrey Carruthers, Member
Hon. Celia Foy Castillo, Member
Ronald Solimon, Member
Dr. Judy Villanueva, Member

Wednesday, May 11, 2022, 3:00 p.m. to 5:00 p.m. (Mountain Time)

Public Meeting (via Zoom):

Join Zoom through internet browser:

<https://us02web.zoom.us/j/83555255075?pwd=RW5rMlEYXZURmswa0xQb3VJbnYzd09>

Meeting ID: 835 5525 5075
Dial In Number: (346) 248 7799
Password: SEC365

One-tap Dial in Number: +13462487799,,83555255075#,,, *965752#

Chairman Lang Calls the Meeting to Order

1. Roll Call
2. Approval of Agenda
3. Approval of Minutes of April 1, 2022 Commission Meeting

Commission Meeting Items

Action Required

4. Approval of FY23 operating budget
(*Farris*)

Yes

Upon applicable motion, Commission goes into executive session under NMSA 1978, §§ 10-15-1(H)(3) (administrative adjudicatory proceedings) & 10-15-1(H)(7) (attorney client privilege pertaining to litigation)

5. Discussion regarding potential litigation:
 - a. Commission authorization of demand(s) and civil enforcement action(s) regarding violations of the Campaign Reporting Act
6. Administrative matters under State Ethics Commission Act:
 - a. *Whitlock v. Dow*, No. 2020-031

Upon applicable motion, Commission returns from executive session

- | | |
|--|-----|
| 7. Actions on Administrative Complaints
(<i>Farris</i>) | Yes |
| <u>Administrative Matters under State Ethics Commission Act:</u> | |
| a. <i>Whitlock v. Dow</i> , No. 2020-031 | |
| 8. Commission authorization of demand(s) and civil enforcement action(s) regarding violations of the Campaign Reporting Act
(<i>Farris</i>) | Yes |
| 9. Discussion of next meeting
(<i>Lang</i>) | No |
| 10. Public Comment | No |
| 11. Adjournment | |

For inquires or special assistance, please contact Sonny Haquani at Ethics.Commission@state.nm.us

SEC Office
800 Bradbury Dr. SE,
Suite 215
Albuquerque, NM 87106



Hon. William F. Lang
Jeffrey L. Baker
Stuart M. Bluestone
Hon. Garrey Carruthers
Hon. Celia Foy Castillo
Ronald Solimon
Judy Villanueva

STATE ETHICS COMMISSION

Commission Meeting Minutes of April 1, 2022 | 9:00AM-12:30PM

Virtually Via Zoom

[View Recording Here](#)

[SUBJECT TO RATIFICATION BY COMMISSION]

CALL TO ORDER AND ROLL CALL

The meeting was called to order by Chair Lang. The roll was called; the following Commissioners were present:

Jeffrey Baker, Commissioner
Stuart Bluestone, Commissioner
Hon. Garrey Carruthers, Commissioner
Hon. Celia Foy Castillo, Commissioner
Judy Villanueva, Commissioner
Hon. William Lang, Chair

The following Commissioner was absent:

Ronald Solimon, Commissioner

1. APPROVAL OF AGENDA

Chair Lang sought a motion to approve the agenda. Commissioner Carruthers moved to approve the agenda; Commissioner Foy Castillo seconded. Hearing no discussion, Chair Lang conducted a roll-call vote. All Commissioners voted in the affirmative and approved the agenda unanimously.

2. APPROVAL OF FEBRUARY 4, 2022 COMMISSION MEETING MINUTES

Chair Lang sought a motion to approve the minutes of the February 4, 2022 Commission meeting. Commissioner Baker moved to approve the minutes; Commissioner Carruthers seconded. Hearing no discussion, Chair Lang conducted a roll-call vote. All Commissioners voted in the affirmative and approved the minutes unanimously.

3. OVERVIEW OF 2022 PROJECTS: OFFICE GROWTH, FINANCIAL DISCLOSURE ACT

Director Farris provided an overview of Commission projects and developments for 2022 and highlighted the following updates:

- The Commission has hired a new attorney, Caroline “KC” Manierre who is serving as the Commission’s Special Counsel.
- The Commission is expanding its office space, recently signing a 5-year lease at the UNM Science and Technology Park for suites 215 and 217 in 800 Bradbury Dr.
- In July, The Commission will have additional funding for staff and will begin hiring additional non-attorney staff.
- By way of projects, the Commission staff are continuing work on an initiative to enforce the Financial Disclosure Act more comprehensively throughout the state.
- Commission staff are also beginning an initiative to audit the contributions and expenditures for candidates and committees involved in the most significant statewide election contests to ensure compliance with the Campaign Reporting Act.

4. ADVISORY OPINION 2022-03

Director Farris provided an overview of advisory opinion 2022-03, which addresses the following questions:

1. A Member of the House of Representatives has a son who is a fencing and welding contractor. Can the son legally bid on state projects like right-of-way fences for the Department of Transportation or other state projects?

2. The son of the spouse of the Member is a building contractor who holds a GB-98 license and a degree in engineering. Can the son bid on state funded jobs that are offered by schools, cities, villages, state agencies, et al.?

(To read the full opinion, visit www.NMOnesource.com).

- Chair Lang sought a motion to adopt advisory opinion 2022-03. Commissioner Bluestone moved to adopt the opinion; Commissioner Foy Castillo seconded. After a discussion on the merits of the opinion, Chair Lang conducted a roll-call vote. All Commissioners voted in the affirmative and approved advisory opinion 2022-03 unanimously.

5. ADVISORY OPINION 2022-04

Director Farris provided an overview of advisory opinion 2022-04, which addresses the following question:

The Taos County Cooperative Weed Management Area (“Taos CWMA”) has applied for a \$19,949 grant from the Forestry Division of the New Mexico Energy, Minerals and Natural Resources Department to address noxious weeds on forest-adjacent land located in Taos County and owned by Southern Methodist University. The Taos Chapter of the Native Plant Society of New Mexico (“Taos NPSNM”), a 501(c)(3) organization, is one of the members of the Taos CWMA and has agreed to be the fiscal sponsor for the project. If the Forestry Division grants the funds, the Taos CWMA members (which include several governmental entities) and the Southern Methodist University will provide matching in-kind contributions valued at \$19,949. Under the match, the

Southern Methodist University will provide all of the labor to complete the project. The Forestry Division “has indicated that the proposal has been approved, but they are concerned that this project might in some way violate NM’s anti-donation law.” The request asks the Commission’s attorney staff to provide an opinion.

(To read the full opinion, visit www.NMOnesource.com).

- Chair Lang sought a motion to adopt advisory opinion 2022-04. Commissioner Carruthers moved to adopt the opinion; Commissioner Baker seconded. After a discussion on the merits of the opinion, Chair Lang conducted a roll-call vote. All Commissioners voted in the affirmative and approved advisory opinion 2022-04 unanimously.

6. ADVISORY OPINION 2022-05

Director Farris provided an overview of advisory opinion 2022-05, which addresses the following questions:

1. *May New Mexico political committees that make contributions to candidates, officeholders, and candidates solicit unlimited contributions from allowable persons on behalf of political committees that make only independent expenditures?*
2. *If the answer to question 1 is yes, may candidates and officeholders solicit unlimited contributions from allowable persons for an independent expenditure committee that will make expenditures to support the candidate or officeholder who is soliciting funds on the committee’s behalf?*

(To read the full opinion following its issuance, visit www.NMOnesource.com).

- Chair Lang sought a motion to adopt advisory opinion 2022-05. Commissioner Bluestone moved to adopt the opinion; Commissioner Foy Castillo seconded. After a discussion on the merits of the opinion, Chair Lang conducted a roll-call vote. All Commissioners voted in the affirmative and approved advisory opinion 2022-05 unanimously.

7. EXECUTIVE SESSION

Chair Lang sought a motion to enter executive session under NMSA 1978, §§ 10-15-1(H)(2) (limited personnel matters), 10-15-1(H)(3) (administrative adjudicatory proceedings), and 10-15-1(H)(7) (attorney-client privilege pertaining to litigation). Commissioner Carruthers moved to enter executive session; Commissioner Baker seconded. Hearing no discussion, Chair Lang conducted a roll-call vote. All Commissioners voted in the affirmative and entered executive session.

---BEGINNING OF EXECUTIVE SESSION---

The following matters were discussed in executive session:

- Discussions regarding administrative complaints:

Administrative Matters under State Ethics Commission Act:

- a. Administrative Complaint No. 2021-017

- b. Administrative Complaint No. 2021-026
- c. Administrative Complaint No. 2021-027
- d. Administrative Complaint No. 2021-028
- e. Administrative Complaint No. 2021-038
- f. Administrative Complaint No. 2022-002
- g. Administrative Complaint No. 2022-004
- h. Administrative Complaint No. 2022-005

Administrative Matters under Revised Uniform Law on Notarial Acts:

- a. 2022-NP-04, *In re notary public commission of Stewart*
- b. 2022-NP-06, *In re notary public commission of Kiro*
- c. 2022-NP-07, *In re notary public commission of Rivera*
- d. 2022-NP-08 *In re notary public commission of Bratcher*
- e. 2022-NP-09 *In re notary public commission of Mates*

- Discussions regarding pending civil litigation
- The matters discussed in the closed meeting were limited to those specified in the motion to enter executive session. After concluding its discussion of these matters, the Commission resumed public session upon an appropriate motion.

---END OF EXECUTIVE SESSION---

8. ACTIONS ON ADMINISTRATIVE CASES Nos. 2021-017, 2021-026, 2021-027, 2021-028, 2021-038, 2022-002, 2022-004 & 2022-005

Director Farris asked the Commission for the following motions on the following administrative cases:

- **In administrative case 2021-017, motion for 90-day extension under Section 11(A) of the State Ethics Commission Act.**
Commissioner Baker moved as stated above; Commissioner Foy Castillo seconded as stated above. Chair Lang conducted a roll-call vote. All Commissioners voted in the affirmative and approved the motion.
- **In administrative case 2021-026, motion for 90-day extension under Section 11(A) of the State Ethics Commission Act.**
Commissioner Foy Castillo moved as stated above; Commissioner Baker seconded as stated above. Chair Lang conducted a roll-call vote. All Commissioners voted in the affirmative and approved the motion.
- **In administrative case 2021-027, motion to issue an order referring potential violations of the Law Enforcement Training Act to the Law Enforcement Training Academy, the New Mexico Attorney General, and the Secretary of Energy, Minerals and Natural Resources.**
Commissioner Carruthers moved as stated above; Commissioner Foy Castillo seconded as stated above. Chair Lang conducted a roll-call vote. All Commissioners voted in the affirmative and approved the motion.

- **In administrative case 2021-028, motion for 90-day extension under Section 11(A) of the State Ethics Commission Act.**

Commissioner Bluestone moved as stated above; Commissioner Carruthers seconded as stated above. Chair Lang conducted a roll-call vote. All Commissioners voted in the affirmative and approved the motion.

- **In administrative case 2021-038, motion for 90-day extension under Section 11(A) of the State Ethics Commission Act.**

Commissioner Foy Castillo moved as stated above; Commissioner Bluestone seconded as stated above. Chair Lang conducted a roll-call vote. All Commissioners voted in the affirmative and approved the motion.

- **In administrative case 2022-002, motion to dismiss the complaint for lack of jurisdiction.**

Commissioner Foy Castillo moved as stated above; Commissioner Carruthers seconded as stated above. Chair Lang conducted a roll-call vote. All Commissioners voted in the affirmative and approved the motion.

- **In administrative case 2022-004, motion to dismiss all claims in the complaint except for two claims under section 3 of the Governmental Conduct Act as applicable to two of the named individual respondents.**

Commissioner Bluestone moved as stated above; Commissioner Carruthers seconded as stated above. Chair Lang recused from the vote and conducted a roll-call vote. All other Commissioners voted in the affirmative and approved the motion.

- **In administrative case 2022-005, motion to dismiss claims alleged under the Charitable Solicitations Act and the Rules of the State House of Representatives for lack of subject matter jurisdiction.**

Commissioner Carruthers moved as stated above; Commissioner Foy Castillo seconded as stated above. Chair Lang conducted a roll-call vote. All Commissioners voted in the affirmative and approved the motion.

9. **ADMINISTRATIVE MATTERS UNDER RULONA, CASE Nos. 2022-NP-02, 2022-NP-03, 2022-NP-06, 2022-NP-08, 2022-NP-09**

Director Farris sought motions on the following cases under the Revised Uniform Law on Notarial Acts:

- **In 2022-NP-02, *In re notary public commission of Romero*, motion to enter a default order revoking the Respondent's notary public commission and disallowing her from applying from another commission until the Notice of Contemplated Action has been resolved.**

Commissioner Baker moved as stated above; Commissioner Bluestone seconded as stated above. Chair Lang conducted a roll-call vote. All Commissioners voted in the affirmative and approved the motion.

- **In 2022-NP-03, *In re notary public commission of Samaniego*, motion to issue a notice of contemplated action against Ms. Samaniego.**
Commissioner Foy Castillo moved as stated above; Commissioner Bluestone seconded as stated above. Chair Lang conducted a roll-call vote. All Commissioners voted in the affirmative and approved the motion.
- **In 2022-NP-06, *In re notary public commission of Kiro*, motion to approve a settlement agreement between the Commission and Ms. Kiro which suspends her notary public commission for 90 days, ending on June 30, 2022.**
Commissioner Carruthers moved as stated above; Commissioner Bluestone seconded as stated above. Chair Lang conducted a roll-call vote. All Commissioners voted in the affirmative and approved the motion.
- **In 2022-NP-08, *In re notary public commission of Bracher*, motion to issue a notice of contemplated action to Ms. Bratcher.**
Commissioner Foy Castillo moved as stated above; Commissioner Bluestone seconded as stated above. Chair Lang conducted a roll-call vote. All Commissioners voted in the affirmative and approved the motion.
- **In 2022-NP-09, *In re notary public commission of Mates*, motion to dismiss the complaint given that the Respondent's notary commission expired in 2005.**
Commissioner Foy Castillo moved as stated above; Commissioner Bluestone seconded as stated above. Chair Lang conducted a roll-call vote. All Commissioners voted in the affirmative and approved the motion.

10. RESOLUTIONS

Commissioner Bluestone moved that the Commission to authorize the staff to file a civil action for a Governmental Conduct Act Violation by an elected official.

Commissioner Carruthers seconded as stated above. Chair Lang conducted a roll-call vote. All Commissioners voted in the affirmative and approved the motion.

11. SELECTION OF NEXT MEETING

Chair Lang confirmed that the next meeting would take place on June 3, 2022 and would still be virtual. Chair Lang clarified that the Commission would aim to hold its next in-person meeting in August.

12. PUBLIC COMMENTS

- Communications Director Sonny Haquani offered comments announcing his enlistment in the U.S. Air Force and thanking the Commission and the Staff for the opportunity to serve the state and the Commission over the past two years.

No other public comments were offered.

13. ADJOURNMENT

Chair Lang raised adjournment of the meeting. With no objections made, the meeting was adjourned.

[SUBJECT TO RATIFICATION BY COMMISSION]



STATE ETHICS COMMISSION

<http://sec.state.nm.us>

800 Bradbury Dr. SE
Suite 215
Albuquerque, NM 87106
(505) 827-7800

OPERATING BUDGET Fiscal Year 2023 July 1, 2022 - June 30, 2023

STATE OF NEW MEXICO

Prepared By:
Jeremy D. Farris, Executive Director and
Wendy George, Finance & Administration Director

FORM S-1
CERTIFICATION
FY23 OPERATING BUDGET CERTIFICATION

Agency Name: Ethics Commission


Business Unit: 41000

I hereby certify that the accompanying summary and detailed statements are true and correct to the best of my knowledge and belief and that the arithmetic accuracy of all numeric information has been verified.


- ☐ Yes, department level budgets will be used this fiscal year
- ☒ No, department level budgets will not be used this fiscal year



Jeremy Farris, Executive Director



~~Hon. William F. Lang, Chair~~



Wendy George, Finance and Administration Director, CFO

800 Bradbury Dr. SE,
Suite 215
Albuquerque, NM 87106

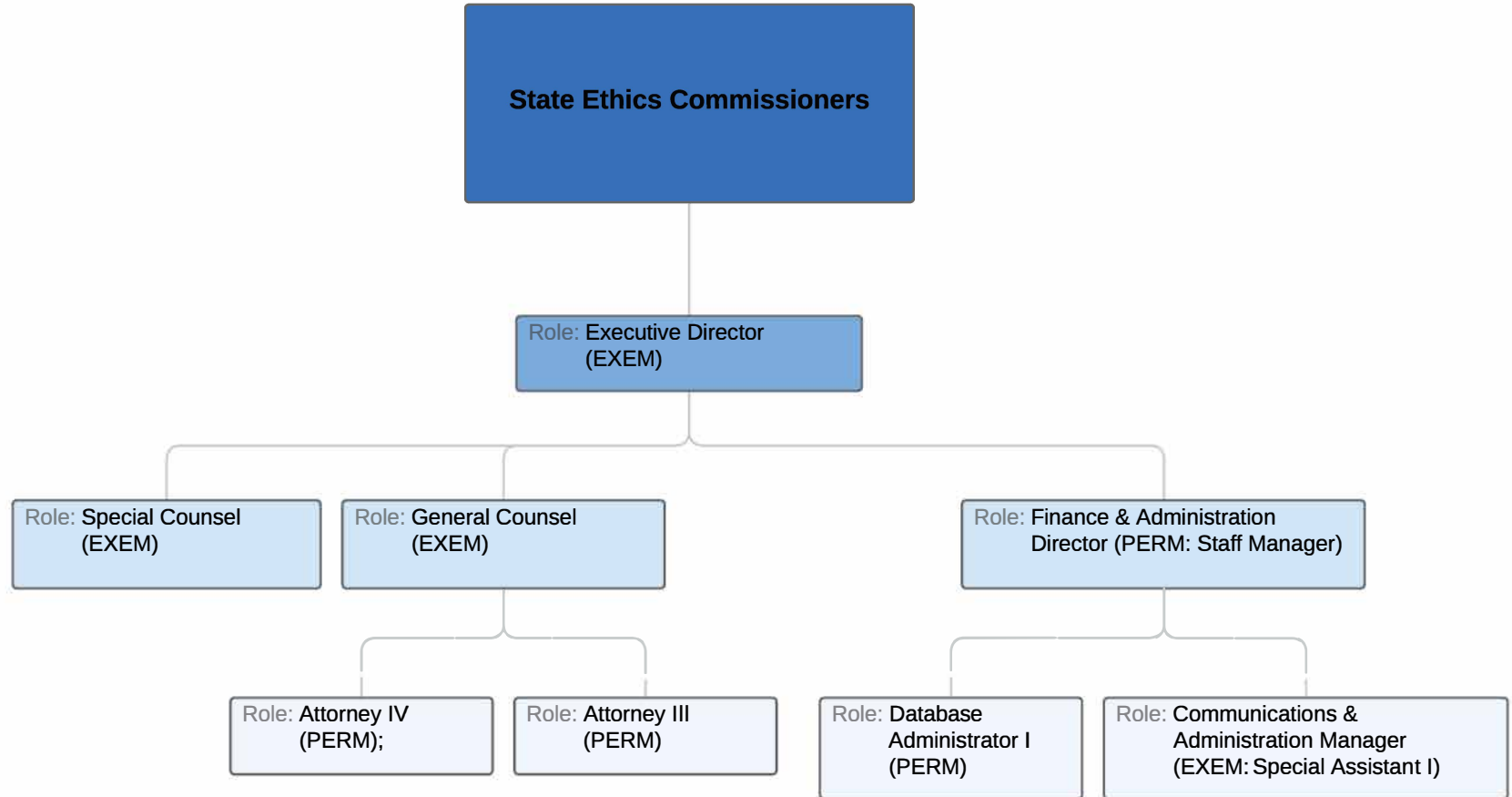
505-554-7608

wendyj.george@state.nm.us

Note: Operating Budgets of agencies headed by a board or commission must be approved by the board or commission by official action and signed by the chairperson. Operating Budgets of other agencies must be signed by the director or secretary. Operating Budgets not properly signed will be returned.

FY23 STATE ETHICS COMMISSION ORGANIZATIONAL CHART

July 1, 2022



BU **PCode** **Department**
 41000 P410 000000

S-8 OPBUD

(Dollars in Thousands)

		FY22 OPBUD	FY23 PCF Projection	FY23 GAA OPBUD with Transfers	FY23 Comp Package	FY23 Other Adjustments	FY23 OPBUD-3	FY23 Other Recurring	Final FY23 OPBUD
111	General Fund Transfers	915.7	0.0	1,193.5	0.0	0.0	1,193.5	42.8	1,236.3
112	Other Transfers	0.0	0.0	0.0	42.8	0.0	42.8	(42.8)	0.0
REVENUE, TRANSFERS		915.7	0.0	1,193.5	42.8	0.0	1,236.3	0.0	1,236.3
REVENUE		915.7	0.0	1,193.5	42.8	0.0	1,236.3	0.0	1,236.3
EXPENSE									
200	Personal Services and Employee Benefit	638.6	767.9	881.7	42.8	0.0	924.5	0.0	924.5
300	Contractual Services	175.0	0.0	200.0	0.0	0.0	200.0	0.0	200.0
400	Other	102.1	0.0	111.8	0.0	0.0	111.8	0.0	111.8
EXPENDITURES		915.7	767.9	1,193.5	42.8	0.0	1,236.3	0.0	1,236.3
EXPENSE		915.7	767.9	1,193.5	42.8	0.0	1,236.3	0.0	1,236.3
FTE POSITIONS									
810	Permanent	6.00	6.00	8.00	0.00	0.00	8.00	0.00	8.00
FTEs		6.00	6.00	8.00	0.00	0.00	8.00	0.00	8.00
FTE POSITIONS		6.00	6.00	8.00	0.00	0.00	8.00	0.00	8.00

BU PCode Department
41000 P410 000000

S-9 Account Code Revenue/Expenditure Summary

(Dollars in Thousands)

		FY22 OPBUD	FY23 PCF Projection	FY23 GAA OPBUD	FY23 Comp Package	FY23 Other Adjustments	FY23 OPBUD-3	FY23 Other Adjustments	Final FY23 OPBUD
520000	Payroll	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
520100	Exempt Perm Positions P/T&F/T	314.5	428.7	382.4	30.0	0.0	412.4	0.0	412.4
520300	Classified Perm Positions F/T	151.6	155.2	258.6	12.8	0.0	271.4	0.0	271.4
520500	Temporary Positions F/T & P/T	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
521100	Group Insurance Premium	25.0	18.2	31.6	0.0	0.0	31.6	0.0	31.6
521200	Retirement Contributions	94.3	109.4	137.2	0.0	0.0	137.2	0.0	137.2
521300	F I C A	35.4	44.7	53.1	0.0	0.0	53.1	0.0	53.1
521400	Workers' Comp Assessment Fee	0.1	0.0	0.1	0.0	0.0	0.1	0.0	0.1
521410	GSD Work Comp Insur Premium	0.2	0.0	1.2	0.0	0.0	1.2	0.0	1.2
521500	Unemployment Comp Premium	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
521600	Employee Liability Ins Premium	1.4	0.0	1.9	0.0	0.0	1.9	0.0	1.9
521700	RHC Act Contributions	10.5	11.7	15.6	0.0	0.0	15.6	0.0	15.6
200	Personal Services and Employee Bene	633.2	767.9	881.7	42.8	0.0	924.5	0.0	924.5
530000	Contracts	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
535200	Professional Services	55.0	0.0	143.0	0.0	0.0	143.0	0.0	143.0
535209	Professional Svcs - Interagenc	23.0	0.0	5.0	0.0	0.0	5.0	0.0	5.0
535400	Audit Services	11.0	0.0	11.8	0.0	0.0	11.8	0.0	11.8
535500	Attorney Services	65.0	0.0	5.2	0.0	0.0	5.2	0.0	5.2
535600	IT Services	21.0	0.0	35.0	0.0	0.0	35.0	0.0	35.0
300	Contractual Services	175.0	0.0	200.0	0.0	0.0	200.0	0.0	200.0
540000	Other Expenses	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
542100	Employee I/S Mileage & Fares	1.0	0.0	2.0	0.0	0.0	2.0	0.0	2.0
542200	Employee I/S Meals & Lodging	1.0	0.0	1.5	0.0	0.0	1.5	0.0	1.5
542300	Brd & Comm Mbr Meals & Lodging	7.5	0.0	8.0	0.0	0.0	8.0	0.0	8.0
544000	Supply Inventory IT	0.0	0.0	5.2	0.0	0.0	5.2	0.0	5.2
544100	Supplies-Office Supplies	2.0	0.0	2.3	0.0	0.0	2.3	0.0	2.3
544400	Supplies-Field Supplies	0.0	0.0	0.1	0.0	0.0	0.1	0.0	0.1
544900	Supplies-Inventory Exempt	0.0	0.0	1.5	0.0	0.0	1.5	0.0	1.5
545600	Reporting & Recording	0.0	0.0	1.0	0.0	0.0	1.0	0.0	1.0
545700	ISD Services	5.0	0.0	8.2	0.0	0.0	8.2	0.0	8.2
545710	DOIT HCM Assessment Fees	2.5	0.0	3.2	0.0	0.0	2.9	0.0	2.9
545900	Printing & Photo Services	3.5	0.0	2.0	0.0	0.0	2.0	0.0	2.0
546100	Postage & Mail Services	1.0	0.0	1.0	0.0	0.0	1.0	0.0	1.0

S-9 Account Code Revenue/Expenditure Summary

BU PCode Department
41000 P410 000000

(Dollars in Thousands)

		FY22 OPBUD	FY23 PCF Projection	FY23 GAA OPBUD	FY23 Comp Package	FY23 Other Adjustments	FY23 OPBUD-3	FY23 Other Adjustments	Final FY23 OPBUD
546400	Rent Of Land & Buildings	40.0	0.0	40.0	0.0	0.0	40.0	0.0	40.0
546500	Rent Of Equipment	7.0	0.0	3.5	0.0	0.0	3.5	0.0	3.5
546600	Communications	6.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
546610	DOIT Telecommunications	10.8	0.0	14.3	0.0	0.0	14.3	0.0	14.3
546700	Subscriptions/Dues/License Fee	7.0	0.0	9.5	0.0	0.0	9.8	0.0	9.8
546800	Employee Training & Education	2.0	0.0	2.5	0.0	0.0	2.5	0.0	2.5
546900	Advertising	3.6	0.0	3.0	0.0	0.0	3.0	0.0	3.0
547999	Request to Pay Prior Year	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
549600	Employee O/S Mileage & Fares	1.0	0.0	1.5	0.0	0.0	1.5	0.0	1.5
549700	Employee O/S Meals & Lodging	1.0	0.0	1.5	0.0	0.0	1.5	0.0	1.5
400	Other	102.1	0.0	111.8	0.0	0.0	111.8	0.0	111.8
TOTAL EXPENSE		910.3	767.9	1,193.5	42.8	0.0	1,236.3	0.0	1,236.3
499105	General Fd. Appropriation	1,193.5	0.0	1,193.5	0.0	0.0	1,193.5	42.8	1,236.3
111	General Fund Transfers	1,193.5	0.0	1,193.5	0.0	0.0	1,193.5	42.8	1,236.3
499905	Other Financing Sources	42.8	0.0	0.0	42.8	0.0	42.8	(42.8)	0.0
112	Other Transfers	42.8	0.0	0.0	42.8	0.0	42.8	(42.8)	0.0
TOTAL REVENUE		1,236.3	0.0	1,193.5	42.8	0.0	1,236.3	0.0	1,236.3
810	Permanent	6.00	6.00	8.00	0.00	0.00	8.00	0.00	8.00
810	Permanent	6.00	6.00	8.00	0.00	0.00	8.00	0.00	8.00
TOTAL FTE POSITIONS		6.00	6.00	8.00	0.00	0.00	8.00	0.00	8.00

BU PCode Department
41000 P410 000000

S-9 Account Code Revenue Summary

(Dollars in Thousands)

		FY22 OPBUD	FY23 PCF Projection	FY23 GAA OPBUD	FY23 Comp Package	FY23 Other Adjustments	FY23 OPBUD-3	FY23 Other Adjustments	Final FY23 OPBUD
499105	General Fd. Appropriation	1,193.5	0.0	1,193.5	0.0	0.0	1,193.5	42.8	1,236.3
111	General Fund Transfers	1,193.5	0.0	1,193.5	0.0	0.0	1,193.5	42.8	1,236.3
499905	Other Financing Sources	42.8	0.0	0.0	42.8	0.0	42.8	(42.8)	0.0
112	Other Transfers	42.8	0.0	0.0	42.8	0.0	42.8	(42.8)	0.0
TOTAL REVENUE		1,236.3	0.0	1,193.5	42.8	0.0	1,236.3	0.0	1,236.3

S-9 Account Code Expenditure Summary

BU PCode Department
41000 P410 000000

(Dollars in Thousands)

		FY22 OPBUD	FY23 PCF Projection	FY23 GAA OPBUD	FY23 Comp Package	FY23 Other Adjustments	FY23 OPBUD-3	FY23 Other Adjustments	Final FY23 OPBUD
520000	Payroll	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
520100	Exempt Perm Positions P/T&F/T	314.5	428.7	382.4	30.0	0.0	412.4	0.0	412.4
520300	Classified Perm Positions F/T	151.6	155.2	258.6	12.8	0.0	271.4	0.0	271.4
520500	Temporary Positions F/T & P/T	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
521100	Group Insurance Premium	25.0	18.2	31.6	0.0	0.0	31.6	0.0	31.6
521200	Retirement Contributions	94.3	109.4	137.2	0.0	0.0	137.2	0.0	137.2
521300	F I C A	35.4	44.7	53.1	0.0	0.0	53.1	0.0	53.1
521400	Workers' Comp Assessment Fee	0.1	0.0	0.1	0.0	0.0	0.1	0.0	0.1
521410	GSD Work Comp Insur Premium	0.2	0.0	1.2	0.0	0.0	1.2	0.0	1.2
521500	Unemployment Comp Premium	0.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
521600	Employee Liability Ins Premium	1.4	0.0	1.9	0.0	0.0	1.9	0.0	1.9
521700	RHC Act Contributions	10.5	11.7	15.6	0.0	0.0	15.6	0.0	15.6
200	Personal Services and Employee Bene	633.2	767.9	881.7	42.8	0.0	924.5	0.0	924.5
530000	Contracts	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
535200	Professional Services	55.0	0.0	143.0	0.0	0.0	143.0	0.0	143.0
535209	Professional Svcs - Interagenc	23.0	0.0	5.0	0.0	0.0	5.0	0.0	5.0
535400	Audit Services	11.0	0.0	11.8	0.0	0.0	11.8	0.0	11.8
535500	Attorney Services	65.0	0.0	5.2	0.0	0.0	5.2	0.0	5.2
535600	IT Services	21.0	0.0	35.0	0.0	0.0	35.0	0.0	35.0
300	Contractual Services	175.0	0.0	200.0	0.0	0.0	200.0	0.0	200.0
540000	Other Expenses	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
542100	Employee I/S Mileage & Fares	1.0	0.0	2.0	0.0	0.0	2.0	0.0	2.0
542200	Employee I/S Meals & Lodging	1.0	0.0	1.5	0.0	0.0	1.5	0.0	1.5
542300	Brd & Comm Mbr Meals & Lodging	7.5	0.0	8.0	0.0	0.0	8.0	0.0	8.0
544000	Supply Inventory IT	0.0	0.0	5.2	0.0	0.0	5.2	0.0	5.2
544100	Supplies-Office Supplies	2.0	0.0	2.3	0.0	0.0	2.3	0.0	2.3
544400	Supplies-Field Supplies	0.0	0.0	0.1	0.0	0.0	0.1	0.0	0.1
544900	Supplies-Inventory Exempt	0.0	0.0	1.5	0.0	0.0	1.5	0.0	1.5
545600	Reporting & Recording	0.0	0.0	1.0	0.0	0.0	1.0	0.0	1.0
545700	ISD Services	5.0	0.0	8.2	0.0	0.0	8.2	0.0	8.2
545710	DOIT HCM Assessment Fees	2.5	0.0	3.2	0.0	0.0	2.9	0.0	2.9
545900	Printing & Photo Services	3.5	0.0	2.0	0.0	0.0	2.0	0.0	2.0
546100	Postage & Mail Services	1.0	0.0	1.0	0.0	0.0	1.0	0.0	1.0

S-9 Account Code Expenditure Summary

BU PCode Department
41000 P410 000000

(Dollars in Thousands)

		FY22 OPBUD	FY23 PCF Projection	FY23 GAA OPBUD	FY23 Comp Package	FY23 Other Adjustments	FY23 OPBUD-3	FY23 Other Adjustments	Final FY23 OPBUD
546400	Rent Of Land & Buildings	40.0	0.0	40.0	0.0	0.0	40.0	0.0	40.0
546500	Rent Of Equipment	7.0	0.0	3.5	0.0	0.0	3.5	0.0	3.5
546600	Communications	6.2	0.0	0.0	0.0	0.0	0.0	0.0	0.0
546610	DOIT Telecommunications	10.8	0.0	14.3	0.0	0.0	14.3	0.0	14.3
546700	Subscriptions/Dues/License Fee	7.0	0.0	9.5	0.0	0.0	9.8	0.0	9.8
546800	Employee Training & Education	2.0	0.0	2.5	0.0	0.0	2.5	0.0	2.5
546900	Advertising	3.6	0.0	3.0	0.0	0.0	3.0	0.0	3.0
547999	Request to Pay Prior Year	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
549600	Employee O/S Mileage & Fares	1.0	0.0	1.5	0.0	0.0	1.5	0.0	1.5
549700	Employee O/S Meals & Lodging	1.0	0.0	1.5	0.0	0.0	1.5	0.0	1.5
400	Other	102.1	0.0	111.8	0.0	0.0	111.8	0.0	111.8
TOTAL EXPENSE		910.3	767.9	1,193.5	42.8	0.0	1,236.3	0.0	1,236.3

State of New Mexico

S-13 OPBUD

(Dollars in Thousands)

Line Item by PCode

Line Item by PCode					-----FY 2023-----						
					2020-21	2021-22	Request		Recommendation		FY 2023
BusUnit		Line Item			Actuals	OpBud	Base	Expansion	Base	Expansion	Opbud
41000	P410	State Ethics Commission	499105	General Fd. Appropriation	947.7	910.3	1,277.4	0	1,277.4	0.0	1,236.3
			520100	Exempt Perm Positions P/T&F/T	330.54	314.5	382.4	0	382.4	0.0	412.4
			520300	Classified Perm Positions F/T	112.7	151.6	349.9	0	349.9	0.0	271.4
			520500	Temporary Positions F/T & P/T	2.7	0	0	0	0	0.0	0.0
			521100	Group Insurance Premium	13.33	25	31.6	0	31.6	0.0	31.6
			521200	Retirement Contributions	79.05	94.3	137.2	0	137.2	0.0	137.2
			521300	F I C A	33.41	35.4	53.1	0	53.1	0.0	53.1
			521400	Workers' Comp Assessment Fee	1.39	0.1	0.1	0	0.1	0.0	0.1
			521410	GSD Work Comp Insur Premium	0	0.2	1.2	0	1.2	0.0	1.2
			521500	Unemployment Comp Premium	0	0.2	0	0	0	0.0	0.0
			521600	Employee Liability Ins Premium	3.64	1.4	1.9	0	1.9	0.0	1.9
			521700	RHC Act Contributions	8.92	10.5	15.6	0	15.6	0.0	15.6
			535200	Professional Services	36.9	55	118	0	118	0.0	143.0
			535209	Professional Svcs - Interagenc	2.78	23	5	0	5	0.0	5.0
			535400	Audit Services	7.55	11	11.8	0	11.8	0.0	11.8
			535500	Attorney Services	0	65	5.2	0	5.2	0.0	5.2
			535600	IT Services	32.38	21	35	0	35	0.0	35.0
			542100	Employee I/S Mileage & Fares	0.45	1	2	0	2	0.0	2.0
			542200	Employee I/S Meals & Lodging	0.18	1	1.5	0	1.5	0.0	1.5
			542300	Brd & Comm Mbr Meals & Lodgin	0	7.5	8	0	8	0.0	8.0
			544000	Supply Inventory IT	5.2	0	5.2	0	5.2	0.0	5.2
			544100	Supplies-Office Supplies	2.26	2	2.3	0	2.3	0.0	2.3
			544400	Supplies-Field Supplies	0.04	0	0.1	0	0.1	0.0	0.1
			544900	Supplies-Inventory Exempt	1.35	0	1.5	0	1.5	0.0	1.5
			545600	Reporting & Recording	0.15	0	1	0	1	0.0	1.0
			545700	ISD Services	5.1	5	8.2	0	8.2	0.0	8.2
			545710	DOIT HCM Assessment Fees	2.49	2.5	3.2	0	3.2	0.0	2.9
			545900	Printing & Photo Services	0.51	3.5	2	0	2	0.0	2.0
			546100	Postage & Mail Services	0	1	1	0	1	0.0	1.0
			546400	Rent Of Land & Buildings	38.47	40	57.6	0	57.6	0.0	40.0
			546500	Rent Of Equipment	2.73	7	3.5	0	3.5	0.0	3.5

State of New Mexico

S-13 OPBUD

(Dollars in Thousands)

Line Item by PCode				FY 2023						
BusUnit	Line Item		2020-21	2021-22	Request		Recommendation		FY 2023	
			Actuals	OpBud	Base	Expansion	Base	Expansion	Opbud	
	546600	Communications	1	6.2	0	0	0	0.0	0.0	
	546610	DOIT Telecommunications	10.79	10.8	14.3	0	14.3	0.0	14.3	
	546700	Subscriptions/Dues/License Fee	8.44	7	9.5	0	9.5	0.0	9.8	
	546800	Employee Training & Education	1.89	2	2.5	0	2.5	0.0	2.5	
	546900	Advertising	1.07	3.6	3	0	3	0.0	3.0	
	547999	Request to Pay Prior Year	0.03	0	0	0	0	0.0	0.0	
	549600	Employee O/S Mileage & Fares	0	1	1.5	0	1.5	0.0	1.5	
	549700	Employee O/S Meals & Lodging	0	1	1.5	0	1.5	0.0	1.5	
Subtotals for 41000	P410	State Ethics Commission	Revenue	947.7	910.3	1,277.4	0.0	1,277.4	0.0	1,236.3
			Expenditures	747.4	910.3	1,277.4	0.0	1,277.4	0.0	1,236.3

State Ethics Commission

BU PCode Department
41000 P410 000000

State of New Mexico

FTE by PCode OPBUD
(Dollars in Thousands)

Account	Account Name	Fund	2021-22 Opbud	2022-23 PCF Projection	Final FY23 OPBUD	Justification
810	Permanent	20780	6.00	6.00	8.00	our OL will not reflect our 2 new positions until 7/1
Permanent Subtotal			6.00	6.00	8.00	
Total FTEs			6.00	6.00	8.00	

E-1B OPBUD

Run Date: 5/2/22

Run Time: 8:47:54 AM

BU: 41000

PCode	FY 21 OpBud	FY 21 Actuals	FY 21 Actuals to Opbud	FY 21 Avg Vacs	FY 21 Auth FTE	FY 21 Vac to Auth	FY22 PS&EB OpBud	FY 22 Opbud FTE	Aug 21 Vac	Vacant / OpBud	FY 23 PCF Proj	Final FY23 OPBUD	Final FY23 OPBUD to Proj
P410-R	670.6	585.7	87.34%	0.08	6	1.39%	638.6	6	0	0.00%	767.9	924.51	120.39%

PeopleSoft
ACTIVE AND INACTIVE POSITION LISTING

Page No: 1 of 1
Run Date: 04/29/2022
Run Time: 12:28:08

As of Date : 04/28/2022

Bus Unit	Deptid	Jobcode	Position Number	Effective Date	Position Title	Reports To	Company	Location	Max Head Count	Full/ Part	Reg/ Temp	Std Hours	Job Share	Position Status	Effective Status	Status Date	Budgeted Position
41000	1000000000	7085	10111374	01/22/2022	Attorney	10111661	NM	001-000004	1	F	R	40	N	A	A	08/12/2019	Y
41000	1000000000	7385	10111661	11/01/2019	Executive Director	00002528	NM	001-000004	1	F	R	40	N	A	A	11/07/2019	Y
41000	1000000000	7455	10111663	11/02/2019	General Counsel	10111661	NM	001-000004	1	F	R	40	N	A	A	11/07/2019	Y
41000	1000000000	7740	10111662	11/02/2019	Special Assistant I	10111661	NM	001-000004	1	F	R	40	N	A	A	11/07/2019	Y
41000	1000000000	LLLA35	10112396	08/20/2020	Attorney III	10111663	NM	998-083135	1	F	R	40	N	A	A	08/20/2020	Y
41000	1000000000	X30000	10111778	04/04/2020	Finance and Administration Dir	10111661	NM	998-083135	1	F	R	40	N	A	A	03/13/2020	Y



New Mexico State Personnel Office
Position/Classification Action Request Form

Section 1: Agency - Employee Information

Business Unit Name: Bus Unit #: Effective Date (For Agency Use):
Employee Name: Employee ID:
Select Request Type:

Section 2: Position Information

☐ Require Essential Functions Page

Action:
Co-Action (If Applicable):

Current

Proposed

Position Number:	<input type="text"/>		
Classification:	<input type="text"/>	Classification:	<input type="text" value="Attorney IV"/>
Job Code:	<input type="text"/>	Job Code:	<input type="text" value="LLLA40"/>
Working Title:	<input type="text"/>	Working Title:	<input type="text" value="Senior Staff Attorney IV"/>
Bargaining Unit:	<input type="text"/>	Bargaining Unit:	<input type="text" value="Not Covered"/>
Pay Band:	<input type="text"/>	Pay Band:	<input type="text" value="LI"/>
Department # & Name:	<input type="text"/>	Department # & Name:	<input type="text" value="P410 1000000000 State Ethics Commission"/>
Location & Location Code	<input type="text"/>	Location & Location Code	<input type="text" value="800 Bradbury Dr. SE, Suite 215
Albuquerque, NM 87106"/>
Shift:	<input type="text"/>	Shift:	<input type="text" value="8 hours"/>
	<input type="radio"/> PT <input type="radio"/> FT		<input type="radio"/> PT <input checked="" type="radio"/> FT
Reports to:	<input type="text"/>	Reports to:	<input type="text" value="010111663"/>
Funding Source:	<input type="text"/>	Funding Source:	<input type="text" value="General Appropriations Act"/>
FTE: <input type="text"/>	Supervisory Level: <input type="text"/>	FTE: <input type="text" value="1"/>	Supervisory Level: <input type="text" value="NA"/>
FLSA Status:	<input type="text"/>	FLSA Status:	<input type="text" value="No FLSA Required"/>
Short Title:	<input type="text"/>	Short Title:	<input type="text" value="Attorney IV"/>
Position Status:	<input type="text"/>	Position Status:	<input type="text" value="Permanent Position"/>
Safety Sensitive:	<input type="radio"/> Yes <input type="radio"/> No	Safety Sensitive:	<input type="radio"/> Yes <input checked="" type="radio"/> No
Omnibus:	<input type="radio"/> Yes <input type="radio"/> No	Omnibus:	<input type="radio"/> Yes <input checked="" type="radio"/> No



New Mexico State Personnel Office
Position/Classification Action Request Form

Section 8: Agency Justification and Signatures

Position Number:

Requesting Manager/Supervisor
Signature:

Print Name:

Walker Boyd

Date: 4/29/2022

HR Manager Signature:

Print Name:

Wendy George

Date: 4/29/2022

Agency Budget/CFO/ASD Director
Signature:

Print Name:

Wendy George

Date: 4/29/2022

Cabinet Secretary/Agency Head
Signature:

Print Name:

Jeremy Farris

Date: 4/29/2022

SPO / DFA Only Below:

SPO Consultant Signature:

Print Name:

Date:

DFA Approval Attached:

☐ Yes

SPO Director/ Designee Signature:

Print Name:

Date:

Final Approval Date:

☐ Alternative Recommendation Made

Comments:



New Mexico State Personnel Office
Position/Classification Action Request Form

Section 1: Agency - Employee Information

Business Unit Name: State Ethics Commission Bus Unit #: 41000 Effective Date (For Agency Use): 07/01/2022

Employee Name: Employee ID:

Select Request Type:

Section 2: Position Information

☐ Require Essential Functions Page

Action: Create New Position

Co-Action (If Applicable): Create New Position

Current

Proposed

Position Number:

Classification:

Job Code:

Working Title:

Bargaining Unit:

Pay Band:

Department # & Name:

Location & Location Code

Shift:

☐ PT ☐ FT

Reports to:

Funding Source:

FTE: Supervisory Level:

FLSA Status:

Short Title:

Position Status:

Safety Sensitive: ☐ Yes ☐ No Omnibus: ☐ Yes ☐ No

Classification: IT Database Administration

Job Code: ITDA20

Working Title: IT Database Administrator I

Bargaining Unit: Not Covered

Pay Band: ID

Department # & Name: P410 1000000000 State Ethics Commission

Location & Location Code: 800 Bradbury Dr. SE, Suite 215
Albuquerque, NM 87106

Shift: 8 hours

☐ PT ☒ FT

Reports to: 010111778

Funding Source: General Appropriations Act

FTE: 1 Supervisory Level: NA

FLSA Status: No FLSA Required

Short Title: Database Admin I

Position Status: Permanent Position

Safety Sensitive: ☐ Yes ☒ No Omnibus: ☐ Yes ☒ No



New Mexico State Personnel Office
Position/Classification Action Request Form

Section 8: Agency Justification and Signatures

Position Number:

Requesting Manager/Supervisor
Signature:

Wendy George

Print Name:

Wendy George

Date: 4/28/2022

HR Manager Signature:

Wendy George

Print Name:

Wendy George

Date: 04/28/2022

Agency Budget/CFO/ASD Director
Signature:

Wendy George

Print Name:

Wendy George

Date: 04/28/2022

Cabinet Secretary/Agency Head
Signature:

Jeremy Farris

Print Name:

Jeremy Farris

Date: 04/28/2022

SPO / DFA Only Below:

SPO Consultant Signature:

Print Name:

Date:

DFA Approval Attached:

☐ Yes

SPO Director/ Designee Signature:

Print Name:

Date:

Final Approval Date:

☐ Alternative Recommendation Made

Comments:

ALLOTMENT REQUEST FORM- OPERATING BUDGET (OPBUD3)									
<i>Show amounts in whole dollars. For example: If the bill lists the appropriation as \$1.3, it should be shown as \$1,300</i>									
AGENCY NAME State Ethics Commission		BUSINESS UNIT (Agency) 410000		FISCAL YEAR 2023		DATE 7/1/2022			
FUNDING SOURCE <input checked="" type="checkbox"/> GENERAL FUND <input type="checkbox"/> OTHER IF OTHER/SOURCE _____						ALLOTMENT DISTRIBUTION TYPE <input checked="" type="checkbox"/> REGULAR <input type="checkbox"/> ACCELERATED			
BILL SHORT TITLE	LAWS, CHAPTER SECTION, SUBSECTION, ITEM	ITEM DESCRIPTION	P-Code	FUND	DEPARTMENT CODE	CLASS CODE	BUD-REF CODE	AMOUNT	
Appropriation Act of 2022	Laws 2022, 55th Legislature, Second Session, Chapter 54, Section 4	State Ethics Commission General Fund appropriation.	P410	20780	1000000000	G0000	123	\$ 1,193,500	
TOTAL								\$ 1,193,500	

REAUTHORIZATION: YES _____ NO ☒ IF YES, CITE ORIGINAL LAWS, CHAPTER, SECTION, ITEM: _____

STATE BUDGET DIVISION / CAPITAL PROJECTS UNIT USE:
 APPROPRIATION ACCT _____ OPERATING RESERVE _____ CONTINGENCY FUND _____ COMPUTER SYSTEMS ENHANCEMENT _____ TOBACCO SETTLEMENT FD _____

IF REQUIRED BY LAW: ☒ I CERTIFY THAT NO OTHER FUNDS ARE AVAILABLE FOR THE PURPOSE SPECIFIED IN THE APPROPRIATION.

CFO SIGNATURE
 PRINT NAME Wendy George

CONTROL NO
 ANALYST
 DIRECTOR

APPROVED: STATE BUDGET DIVISION

DATE _____
 DATE _____

Version: Feb 2016. Supersedes all other versions

GENERAL FUND COMPENSATION DISTRIBUTION

Show amounts in whole dollars. For example: If the bill lists the appropriation as \$1.3, it should be shown as \$1,300

AGENCY NAME		BUSINESS UNIT	BUDGET REFERENCE	DATE	
State Ethics Commission		41000	123	7/1/2022	
FUND	PROGRAM CODE	DESCRIPTION	DEPARTMENT CODE FOR DISTRIBUTION	CLASS CODE	GENERAL FUND AMOUNT
20780	P410	Laws 2022, 55th Legislature, Second Session, Chapter 54, Section 8 4% Compensation	1000000000	G0000	42,800
TOTAL					42,800

I CERTIFY THAT NO OTHER FUNDS ARE AVAILABLE FOR THE PURPOSE SPECIFIED IN THE APPROPRIATION.

AUTHORIZED SIGNATURE Wendy George
TITLE CFO

APPROVED: STATE BUDGET DIVISION

CONTROL NO _____
ANALYST _____ DATE _____
DIRECTOR _____ DATE _____