STATE ETHICS COMMISSION

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**Hon. William F. Lang** *(Chair)*

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**Stuart M. Bluestone**

**Hon. Garrey Carruthers**

**Hon. Celia Foy Castillo**

**Ron Solimon**

**Judy Villanueva**

**CONCISE EXPLANATORY STATEMENT FOR AMENDMENTS TO 1.8.3 NMAC**

(NMSA 1978, § 14-4-5.5 & 1.24.25.14(F) NMAC)

Submitted to New Mexico State Records Center and Archives: June 6, 2023

1. **Citation to authority authorizing rule**: Paragraph 2 of Subsection A of Section 10-16G-5, State Ethics Commission Act, Section 10-16G-1 NMSA 1978.
2. **Effective date of rule**: July 1, 2023.
3. **Date of adoption of rule**: June 2, 2023.
4. **Date of meeting at which agency voted to approve rule**: June 2, 2023
5. **Reasons for adopting rule**: These purpose of the amendments is improving the efficiency of commission adjudications and to respond to recent amendments to Section 10-16G-10 NMSA 1978 of the State Ethics Commission Act.
6. **Reasons for any change between the initial published amendments to rule and final adopted amendments to rule:**

**Section 1.8.3.7 DEFINITIONS**

No changes.

**Section 1.8.3.9 COMPLAINTS: FILING REQUIREMENTS AND LIMITATIONS; AMENDMENTS; NOTICE; TIME LIMITATIONS; CONSOLIDATION; COMMISSION-INITIATED COMPLAINTS:**

No changes.

**Section 1.8.3.10 DIRECTOR’S RESPONSIBILITIES UPON RECEIVING A COMPLAINT; RESPONDENT’S OPPORTUNITY TO RESPOND; JURISDICTIONAL REVIEW; REFERRALS; NOTIFICATION TO PARTIES**

No changes.

**Section 1.8.3.11 GENERAL COUNSEL’S INVESTIGATION**

No changes.

**Section 1.8.1.13: PROBABLE CAUSE DETERMINATIONS AND CONSEQUENCES; INVESTIGATION REPORTS AND RECOMMENDATIONS TO COMMISSION; DISPOSITION BY AGREEMENT; NOTICE TO PARTIES**

1.8.1.13(A)(1): deleted the comma after “If.”

Rationale: Grammatical error.

**Section 1.8.1.14 HEARING OFFICERS; SUMMARY DISPOSITION; HEARINGS; INTERPRETERS; EVIDENCE**

No changes.

**Section 1.8.1.15 APPEALS; ENFORCEMENT**

No changes.

1. **Reasons for not accepting substantive arguments made through written pre-filed public comment:**

**Section 1.8.3.7 DEFINITIONS**

No substantive arguments received.

**Section 1.8.3.9 COMPLAINTS: FILING REQUIREMENTS AND LIMITATIONS; AMENDMENTS; NOTICE; TIME LIMITATIONS; CONSOLIDATION; COMMISSION-INITIATED COMPLAINTS:**

No substantive arguments received.

**Section 1.8.3.10 DIRECTOR’S RESPONSIBILITIES UPON RECEIVING A COMPLAINT; RESPONDENT’S OPPORTUNITY TO RESPOND; JURISDICTIONAL REVIEW; REFERRALS; NOTIFICATION TO PARTIES**

No substantive arguments received.

**Section 1.8.3.11 GENERAL COUNSEL’S INVESTIGATION**

No substantive arguments received.

**Section 1.8.1.13: PROBABLE CAUSE DETERMINATIONS AND CONSEQUENCES; INVESTIGATION REPORTS AND RECOMMENDATIONS TO COMMISSION; DISPOSITION BY AGREEMENT; NOTICE TO PARTIES**

No substantive arguments received.

**Section 1.8.1.14 HEARING OFFICERS; SUMMARY DISPOSITION; HEARINGS; INTERPRETERS; EVIDENCE**

No substantive arguments received.

**Section 1.8.1.15 APPEALS; ENFORCEMENT**

No substantive arguments received.