

Subject: [EXTERNAL] Re: SEC Rulemaking R23-01

Date: Saturday, May 27, 2023 at 5:27:43 PM Mountain Daylight Time

From: Chris Mechels

To: Commission, Ethics, SEC

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Comment #2 for the upcoming Rulemaking.

Upon further examination of the proposed change to 1.8.1 NMAC it is clear that the change, defining more completely the treatment of "informal complaints", is very important for a continuing, productive Ethics Commission role.

HB466, brought this session by my own "Representative" Andrea Romero seems a direct assault on the Ethics Commission, as it attacks the role of the Commission General Counsel in establishing "probable cause" on a complaint. This seems retaliation for a recent case the Ethics Commission was involved in.

It has always been my concern that the Ethics Commission was created by a very corrupt, and cynical, political culture. Born to be ineffective, with a very restricted role, it has struggled to enlarge its role, and address the corruption. The question has always been whether an "effective" Ethics Commission would be tolerated.

That question seems before us now. HB466 attacks the ability of the Ethics Commission to handle formal complaints. The change proposed for 1.8.1 NMAC could enlarge the role of "informal" complaints. It should have the support of the public and all organizations that care about the public ethics.

Keep up the struggle.

Regards,

Chris Mechels
505-982-7144

On Sat, 27 May, 2023 at 10:42 AM, me <cmechels@q.com> wrote:

To: ethics.commission@state.nm.us

Comment #1 for the upcoming Rulemaking.

This comments concerns 1.8..1.13 NMAC;

While I am pleased with the treatment of "informal" complaints by the SEC I suggest an additional, minor, addition.

I suggest a requirement to inform the complainant if no action is taken. It is common, and extremely frustrating, to the submit a complaint and get no response or closure. This is common practice for instance with the Attorney General's office. Closure is very important, lest the public involvement, already sparse, be further discouraged.

Regards,

Chris Mechels
505-982-7144