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Jeffrey L. Baker  
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Hon. Celia Castillo  
Hon. Dr. Terry McMillan  
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## STATE ETHICS COMMISSION

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### PRESS RELEASE

*The State Ethics Commission announces decision on appeal to affirm hearing officer's order in Administrative Case No. 2022-006, Tim Eichenberg v. Laura Montoya*

*Albuquerque, NM, December 19, 2023 – Today, the State Ethics Commission announces the Commission's decision on appeal to affirm the hearing officer's order in Administrative Case No. 2022-006, Eichenberg v. Montoya.*

The appeals arose from an administrative complaint that former State Treasurer Tim Eichenberg filed against current State Treasurer Laura Montoya. On October 3, 2023, hearing officer Hon. Alan C. Torgerson (Ret.), concluded that Laura Montoya violated the Campaign Reporting Act by knowingly receiving \$10,000 in "straw donor" campaign contributions and ordered her to pay a civil penalty of \$1,000.00. The hearing officer did not impose a forfeiture of the \$10,000 contribution.

For more information about that order, please [read the Commission's press release regarding Hearing Officer Torgerson's Findings of Fact and Conclusions of Law.](#)

Following the Hearing Officer's decision, Complainant Tim Eichenberg and intervening General Counsel of the State Ethics Commission, Walker Boyd, each appealed, claiming that Respondent Montoya should forfeit any contribution received as a result of an unlawful solicitation. Respondent Montoya cross appealed, claiming that Hearing Officer Torgerson's findings and conclusions were reversible, based on a lack of substantial evidence.

The parties presented their oral arguments to the Commission on December 15, 2023. This marked the first oral argument on appeal in an administrative case since the Commission began accepting Administrative Complaint in 2020.

To view a recording of the oral arguments please visit: [State Ethics Commission NM - YouTube](#)

After a careful review of the whole record and having heard the parties' oral arguments, the Commission affirmed the Hearing Officer's original decision. Commissioner Stuart Bluestone concurred in part and dissented in part.

To read the Commission's order on appeal and all other filings related to this case please visit: [State Ethics Commission: Case Management & Filing System \(nm.gov\)](#)

### **About the State Ethics Commission**

The State Ethics Commission is an independent, constitutional state agency with the authority to enforce civil violations of New Mexico's governmental ethics and disclosure statutes, including the Campaign Reporting Act. The Commission is comprised of three Democratic Commissioners, three Republican Commissioners, and one independent Commissioner who is registered as "decline to state." For more information about the State Ethics Commission, visit [www.sec.nm.gov](http://www.sec.nm.gov).