



## STATE ETHICS COMMISSION

### **Commission Meeting Minutes of April 5, 2024, | 9:00AM- 11:00AM** **[Subject to Ratification by Commission]**

#### **Call to Order**

Chair Lang called the meeting to Order at 9:00 AM.

#### **1. Roll Call**

The roll was called; the following Commissioners were present:

Jeffrey L. Baker, Commissioner  
Stuart M. Bluestone, Commissioner  
Hon. Celia Castillo, Commissioner  
Hon. Dr. Terry McMillan, Commissioner  
Ronald Solimon, Commissioner  
Dr. Judy Villanueva, Commissioner  
Hon. William F. Lang, Chair

#### **2. Approval of Agenda**

Executive Director Farris requested to strike Item 5, Advisory Opinion 2024-03. Commissioner Bluestone moved to approve the agenda as amended; Commissioner Castillo seconded. Hearing no opposition, the agenda was approved unanimously.

#### **3. Approval of February 2, 2024, Commission Meeting Minutes**

Chair Lang sought a motion for the approval of the minutes from the February 2<sup>nd</sup>, 2024, Commission meeting. Commissioner Baker moved to approve the minutes; Commissioner Bluestone seconded. Hearing no discussion or objections the minutes were approved unanimously.

#### **Commission Meeting Items**

#### **4. Advisory Opinion 2024-02:**

Deputy General Counsel Randall gave a brief overview of the advisory opinion which addressed the question:

*“May a legislator use campaign funds to pay for registration and travel to conferences and courses designed to make them a better legislator, including educational conferences and professional development courses?”*

**ANSWER**

*Yes, the Campaign Reporting Act allows for the expenditure of campaign funds by a legislator that are reasonably related to performing the duties of the office held, which may include training and travel expenditures.”*

Chair Lang sought a motion to adopt Advisory Opinion 2024-02. Commissioner Solimon moved to adopt the opinion; Commissioner Villanueva seconded. After a roll call vote, the advisory opinion was approved unanimously.

**5. ~~Advisory Opinion 2024-03~~** \_\_\_\_\_

**6. Annual Open Meetings Act Resolution 2024-01**

Chief Compliance Counsel Manierre gave an overview of the updates to the Annual Open Meetings Act Resolution 2024-01.

Chair Lang sought a motion to adopt resolution 2024-01. Commissioner Solimon moved to adopt the opinion; Commissioner Baker seconded. Commissioner Villanueva asked for clarification on the immediacy in article 4 of the resolution. After some brief discussion, the resolution was approved unanimously.

**7. Resolution 2024-03**

Executive Director Farris gave an overview of Resolution 2024-03. Chair Lang sought a motion to adopt resolution 2024-03. Commissioner Baker moved to adopt the opinion; Commissioner Castillo seconded. Commissioner Bluestone provided editorial amendments. The resolution as amended was approved unanimously.

**8. Administrative Case No. 2022-27, *Kokinadis v. Bedonie*: authorization to seek hearing subpoenas from district court**

Executive Director Farris requested that the Commission authorize him to petition the district court for a subpoena to compel the presence of witnesses for the hearing in the above-referenced administrative case. Chair Lang sought a motion to adopt the authorization. Commissioner Castillo moved to adopt the opinion; Commissioner Baker seconded. The authorization was approved unanimously.

**9. Commissioner Bluestone op-ed on Procurement Code**

Commissioner Bluestone presented to the Commission his opinion editorial on the Procurement Code and requested the Commission’s approval to submit the piece as opinion of the Commission. After discussion and debate the Chair held a roll call vote:

Commissioner Baker: No  
Commissioner Bluestone: Yes  
Commissioner Castillo: Yes  
Commissioner McMillan: No  
Commissioner Solimon: No  
Commissioner Villanueva: No  
Chair Lang: No

The motion fails with a vote of 2 in the affirmative and 5 in the negative.

**10. Public Comment (pre-closed session)**

Nat Dean thanked the Commission and their ability to provide accurate closed captioning for the meeting. They emphasized that this allows for a variety of members of the public to fully participate in public government meetings.

**---Beginning of Executive Session---**

Chair Lang sought a motion to enter executive session under NMSA 1978, §§ 10-15-1(H)(3) (administrative adjudicatory proceedings), and 10-15-1(H)(7) (attorney-client privilege pertaining to litigation). Commissioner Baker moved to enter executive session; Commissioner Castillo seconded. Hearing no discussion, the Commission entered executive session.

**11. Discussion regarding current and potential litigation:**

*(Boyd)*

- a. Resolution approving proposed pre-litigation settlement with local government employee.

**12. Administrative Matters under Revised Uniform Law on Notarial Acts:**

*(Branch)*

- a. 2023-NP-07 *In re commission of McNellis* Approval of Settlement Agreement.
- b. 2023-NP-08 *In re commission of Garza* Default Order
- c. 2024-NP-01 *In re commission of Terrazas* Order of Dismissal and Warning Letter

**13. Discussion regarding administrative matters under State Ethics Commission Act:**

*(Farris)*

**Dismissals of administrative complaints:**

- a. Administrative Complaint No. 2024-03

*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---**

**14. Authorization approving pre-litigation settlement with local government employee:**

Commissioner Bluestone moved as stated above, Commissioner Baker seconded. All

Commissioners and the Chair voted in the affirmative, and the pre-litigation settlement was unanimously approved.

**15. Actions on Administrative matters under the Revised Uniform Law on Notarial Acts:**

*(Branch)*

- a. **Commission staff sought motion to approve Settlement Agreement 2023-NP-07 *In re commission of McNellis*:** Commissioner Catillo moved as stated above, Commissioner Bluestone seconded. All Commissioners and the Chair voted in the affirmative and approved the settlement agreement.
- b. **Commission staff sought motion to approve Default Order 2023-08 *In re commission of Garza*:** Commissioner Baker moved as stated above, Commissioner Castillo seconded. All Commissioners and the Chair voted in the affirmative and approved the default order.
- c. **Commission staff sought motion to approve Order of Dismissal and Warning Letter 2024-NP-01 *In re commission of Terrazas*:** Commissioner Bluestone moved as stated above, Commissioner Baker seconded. All Commissioners and the Chair voted in the affirmative and approved the order of dismissal.

**16. Action on Administrative Complaint No. 2024-03**

*(Farris)*

The Commission considered the following motions regarding actions on Administrative Complaints:

- a. **Commission staff sought motion of dismissal of Administrative Case No. 2024-03:** Commissioner Baker moved as stated above, Commissioner Solimon seconded. All Commissioners and the Chair voted in the affirmative and the case was dismissed.

**17. Discussion of Next Meeting**

Chair Lang confirmed that the next regularly scheduled meeting will take place virtually, May 24<sup>th</sup> at 9:00 AM.

**18. Public Comment**

No public comments were made.

**19. Adjournment**

Chair Lang raised the adjournment of the meeting. With no objections made, the meeting was adjourned at 11:00 AM.

*For inquiries or special assistance, please contact [Ethics.Commission@sec.nm.gov](mailto:Ethics.Commission@sec.nm.gov)*