



STATE ETHICS COMMISSION

Commission Meeting Minutes of February 13, 2026, 9:00 AM [Subject to Ratification by Commission]

Call to Order

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

1. Roll Call

Chair Lang called roll; the following Commissioners were present:

Hon. William F. Lang, Chair (attended virtually)
Jeffrey L. Baker (attended virtually)
Stuart M. Bluestone (attended virtually)
Hon. Celia Castillo (attended virtually)
Hon. Gary Clingman (excused)
Hon. Dr. Terry McMillan (attended virtually)
Dr. Judy Villanueva (attended virtually)

2. Approval of Agenda

Chair Lang sought a motion to approve the agenda. Commissioner Castillo moved to approve the agenda; Commissioner Baker seconded. Hearing no discussion or objections, the agenda was approved unanimously by all present Commissioners.

3. Approval of December 5, 2025, Commission Meeting Minutes

Chair Lang sought a motion for approval of the minutes of the December 5, 2025, meeting. Commissioner Bluestone moved to approve the minutes; Commissioner Villanueva seconded. Hearing no discussion or objections, the December 5, 2025 meeting minutes were approved unanimously by all present Commissioners.

4. General Counsel's Initial Observations on the New Mexico Ethics Landscape

General Counsel, Zach Goodrich, discussed similarities and differences between the New Mexico State Ethics Commission and the Iowa Ethics and Campaign Disclosure Board. Similarities noted included strong leadership teams and effective compliance operations. Key differences highlighted included New Mexico's comparatively larger budget and personnel resources, resulting in greater operational capacity. The Commission's appointment structure in

New Mexico was summarized as a multi-appointing-authority model designed to support independence (legislative leadership appointments, additional commissioner-selected appointments, and a Governor-appointed Chair who must be a retired judge), with statutory political-party balance requirements and eligibility restrictions for commissioners. By contrast, Iowa's commissioners are appointed by the Governor with Senate confirmation. The discussion emphasized that agency resources and structure can affect program capacity. No action was taken.

5. Annual Open Meetings Act Resolution (Chato)

Chief Compliance Officer Chato provided an overview of the Annual Open Meetings Act (OMA) Resolution, outlining the Commission's obligations under the Open Meetings Act and the procedures for public notice of meetings.

Chato explained that the Open Meetings Act requires all meetings of a public body, where a quorum is present and public policy is discussed or actions are taken, to be open to the public unless an exception applies to permit the closed meeting.

She highlighted the following key provisions of the resolution:

- **Regular Meetings:** The Commission will hold meetings every other month at the call of the Chair. Notices will be provided at least ten days in advance and agendas will be made available at least seventy-two hours in advance on the Commission's website.
- **Special Meetings:** Notices for special meetings must be issued at least three days in advance and will contain a copy of the agenda or information on how a copy of the agenda may be obtained.
- **Emergency Meetings:** Chato emphasized that emergency meetings are only permitted under unforeseen circumstances that require immediate action to protect public safety or prevent financial loss. These meetings require at least twenty-four hours' notice unless an imminent threat necessitates a shorter timeframe. Any action taken during an emergency meeting must be reported to the New Mexico Department of Justice within ten days.
- **ADA Compliance:** The resolution ensures that all notices will comply with the Americans with Disabilities Act (ADA).
- **Closed Meetings:** Chato summarized the provisions regarding closed meetings, explaining that the Commission may enter into a closed session only if the subject matter falls under an exemption permitted by the Open Meetings Act. The motion to close a meeting must be made during an open session, stating the specific legal basis for closure. Except as provided in Section 10-15-1 of the Open Meetings Act, any action resulting from a closed session must be taken in an open meeting and formally recorded in the minutes of a subsequent open meeting.

Chair Lang sought a motion to approve the Annual Open Meetings Act. Commissioner Baker moved to approve the Annual Open Meetings Act; Commissioner Castillo seconded. Chair Lang conducted a roll-call vote. After some discussion, all present Commissioners voted in the affirmative and approved of the Annual Open Meetings Act unanimously.

6. Advisory Opinion 2026-01 – Regulating Conflicted Votes of Attorney Legislators
(Farris)

Executive Director Jeremy Farris gave an overview of Advisory Opinion No. 2026-01. Advisory Opinion No. 2026-01 considers whether practicing attorneys serving as legislators would violate the Governmental Conduct Act by voting on legislation related to medical malpractice caps where they may have personal or pecuniary interests. The Commission concluded that such votes do not constitute a violation of the Governmental Conduct Act, noting that regulation of conflicted legislative voting is governed by constitutional provisions and legislative rules.

Chair Lang sought a motion to approve Advisory Opinion 2026-01. Commissioner Bluestone moved to approve the opinion for issuance; Commissioner Castillo seconded. Following discussion, Chair Lang conducted a roll-call vote. All Commissioners that were present voted in favor. Advisory Opinion 2026-01 was approved for issuance.

7. Public Comment

There was no public comment.

Commission Meeting Items

---Begin Executive Session---

Chair Lang sought a motion to enter executive session. Commissioner Baker moved to enter executive session under NMSA 1978, § 10-15-1(H)(3) (administrative adjudicatory proceedings) and NMSA 1978, § 10-15-1(H)(7) (attorney-client privilege pertaining to litigation). Commissioner Villanueva seconded the motion. Hearing no discussion, Chair Lang conducted a roll call vote, all present Commissioners voted unanimously to enter executive session.

8. Discussion regarding administrative matters under RULONA:
(Goodrich, Branch)

- I. 2024-NP-08
- II. 2025-NP-15
- III. 2025-NP-17
- IV. 2025-NP-18

9. Discussion regarding current and potential litigation:
(Goodrich, Farris)

- I. Authorization for a demand and civil action against former staff members of Taos Municipal Schools
- II. Authorization for a petition to district court for the issuance of subpoenas related to enforcement of the Nondisclosure of Sensitive Personal Information Act

---End Executive Session---

Matters discussed in closed meeting were limited to those specified in motion to enter executive session. After concluding discussion of these matters, the Commission resumed public session upon an appropriate motion pursuant to NMSA 1978, § 10-15-1(J).

10. Action on administrative matters under RULONA

(Goodrich, Branch)

- I. Commission staff sought a motion for dismissal in 2024-NP-08 *In re commissions of Vivian-Gonzales*. Chair Lang sought a motion for the dismissal. Commissioner Bluestone moved to approve the dismissal; Commissioner Castillo seconded. Hearing no discussion, Chair Lang conducted a roll-call vote. All present Commissioners voted in favor. The dismissal was approved.
- II. Commission staff sought a motion for issuance of a default order in 2025-NP-15 *In re commission of Romero*. Chair Lang sought a motion for the default order. Commissioner Bluestone moved to approve the default order; Commissioner Villanueva seconded. Hearing no discussion, Chair Lang conducted a roll-call vote. All present Commissioners voted in favor. The default order was approved.
- III. Commission staff sought a motion for issuance of a default order in 2025-NP-17 *In re commission of Serrano*. Chair Lang sought a motion for the default order. Commissioner Castillo moved to approve the default order; Commissioner Bluestone seconded. Hearing no discussion, Chair Lang conducted a roll-call vote. All present Commissioners voted in favor. The default order was approved.
- IV. Commission staff sought a motion for issuance of a default order in 2025-NP-18 *In re commission of Haggerton (aka Mudgett)*. Chair Lang sought a motion for the default order. Commissioner McMillan moved to approve the default order; Commissioner Bluestone seconded. Hearing no discussion, Chair Lang conducted a roll-call vote. All present Commissioners voted in favor. The default order was approved.

11. Action on Authorization of Civil Action

(Goodrich, Farris)

- I. Commission staff sought a motion for the authorization for the demand and civil action against former staff members of Taos Municipal Schools and any associated companies they had that received expenditures from that school district in violation of the Procurement Code and Governmental Conduct Act. Chair Lang sought a motion for the authorization. Commissioner Bluestone moved to approve the authorization; Commissioner Villanueva seconded. Hearing no

discussion, Chair Lang conducted a roll-call vote. All present Commissioners voted in favor. The authorization was approved.

- II. Commission staff sought a motion for the authorization for a petition to district court for the issuance of subpoenas related to enforcement of the Nondisclosure of Sensitive Personal Information Act. Chair Lang sought a motion for the authorization. Commissioner Bluestone moved to approve the authorization; Commissioner McMillan seconded. Hearing no discussion, Chair Lang conducted a roll-call vote. All present Commissioners voted in favor. The authorization was approved.

12. Discussion of Next Meeting

Chair Lang confirmed the next regularly scheduled meeting will take place on April 17, 2026.

13. Public Comment

There was no public comment.

14. Adjournment

Chair Lang raised the adjournment of the meeting. With no objections made, the meeting adjourned at 10:32 AM.