



STATE ETHICS COMMISSION

Commission Meeting Minutes of June 15, 2026, 10:00 AM [Subject to Ratification by Commission]

Call to Order

Chair Lang called the meeting to order at 10:00 AM.

1. Roll Call

Chair Lang called roll; the following Commissioners were present:

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

2. Approval of Agenda

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

Commissioner Bluestone requested the addition of a New or Old Business section and discussion of the next meeting. Chair Lang suggested adding an Administrative section at the end of the agenda to address both items. The present Commissioners agreed by unanimous consent.

3. Approval of April 17, 2026, Commission Meeting Minutes

Chair Lang sought a motion for approval of the minutes of the April 17, 2026, meeting. Commissioner Baker moved to approve the minutes; Commissioner Castillo seconded.

Commissioner Bluestone requested an amendment to the April meeting minutes to reflect comments he made for future consideration regarding the Commission's voting requirements. Commissioner Bluestone suggested that, as part of a future legislative recommendations process, the Commission consider recommending amendments to require at least five affirmative votes

for Commission action, including at least two votes from each of the two major political parties represented on the Commission.

With the amendment and hearing no further discussion or objections, the April 17, 2026, meeting minutes were approved unanimously by all present Commissioners.

4. Advisory Opinion 2026-07 – The Use of Campaign Funds for Informational Media as Part of Reelection Efforts
(Biderman)

Commission Staff Paul Biderman presented Advisory Opinion 2026-07, which addressed whether a county commissioner running for reelection may use campaign funds to create informational materials regarding a public issue that was a priority during their previous campaign. The opinion concluded that campaign funds may be used to discuss and raise awareness of a public issue when the materials are reasonably attributable to the candidate's reelection campaign, even if the candidate is running unopposed.

Chair Lang sought a motion to approve Advisory Opinion 2026-07. Commissioner Baker moved to approve the opinion for issuance; Commissioner Bluestone seconded. Chair Lang conducted a roll-call vote. All present Commissioners voted in favor. Advisory Opinion 2026-07 was approved for issuance.

5. Advisory Opinion 2026-08 – Contract with a Retired Agency Employee to Provide Training to Agency Staff Under the Governmental Conduct Act
(Biderman)

Commission Staff Paul Biderman presented Advisory Opinion 2026-08 concerning whether a retired state employee may contract with their former agency to provide training services. The opinion concluded that, under the facts presented, the contract was permissible because it was not contemplated or discussed prior to the employee's retirement and did not involve prohibited post-employment representation before the agency.

Chair Lang sought a motion to approve Advisory Opinion 2026-08. Commissioner Castillo moved to approve the opinion for issuance; Commissioner McMillan seconded. Following discussion, Chair Lang conducted a roll-call vote. All present Commissioners voted in favor. Advisory Opinion 2026-08 was approved for issuance.

6. Advisory Opinion 2026-09 – Governmental Conduct Act and Campaign Contribution Disclosure Requirements for a Community College Board Member Simultaneously Serving as an Executive Director of a Nonprofit
(Su)

Staff Attorney Grace Su presented Advisory Opinion 2026-09 concerning the application of the Governmental Conduct Act and the Procurement Code to a community college board member who also serves as the executive director of a nonprofit organization. The opinion concluded that: (1) the dual roles are permissible under the Governmental Conduct Act, provided the board

member complies with applicable disclosure, recusal, conflict-of-interest, and use-of-position requirements; (2) the board member may seek additional services from the community college on behalf of the nonprofit, such as office space or intern assignments through memorandums of understanding, so long as the board member fully discloses conflicts of interest, recuses from official actions when appropriate, and does not use the position or confidential information for the nonprofit's private benefit; and (3) under the Procurement Code, the board member must disclose certain campaign contributions made to or accepted by applicable public officials when entering into contracts with the community college if the statutory disclosure thresholds are met.

Chair Lang sought a motion to approve Advisory Opinion 2026-09. Commissioner McMillan moved to approve the opinion for issuance; Commissioner Bluestone seconded. Chair Lang conducted a roll-call vote. All present Commissioners voted in favor. Advisory Opinion 2026-09 was approved for issuance.

7. Advisory Opinion 2026-10 – GCA Prohibition on Hiring a Former Agency Attorney as a Contractor Who Will Represent the Same Clients
(*Su*)

Staff Attorney Grace Su presented Advisory Opinion 2026-10, which addressed whether a state agency may enter into a professional services contract with a former agency to represent the same clients after the attorney's resignation. The opinion concluded that the arrangement would be prohibited under the Governmental Conduct Act because the attorney would continue representing the same clients in a contractual capacity following state employment.

Chair Lang sought a motion to approve Advisory Opinion 2026-10. Commissioner Baker moved to approve the opinion for issuance; Commissioner Bluestone seconded. Chair Lang conducted a roll-call vote. All present Commissioners voted in favor. Advisory Opinion 2026-10 was approved for issuance.

8. Advisory Opinion 2026-11 – Permissibility of Payment for a Legislator's Travel Expenses from a Lobbyist Employer
(*Biderman*)

Commission Staff Paul Biderman presented Advisory Opinion 2026-11 concerning whether a legislator may accept payment of travel expenses from a lobbyist employer to attend a ceremony and receive an award. The opinion concluded that payment of travel expenses may be permissible under the Gift Act, depending on whether the expenses are reimbursed through the Legislature or paid directly to the legislator, and further addressed limitations under the Governmental Conduct Act and reporting requirements under the Lobbyist Regulation Act.

Chair Lang sought a motion to approve Advisory Opinion 2026-11. Commissioner Castillo moved to approve the opinion for issuance; Commissioner McMillan seconded.

During discussion, Commissioner Bluestone requested that staff follow up with the Legislative Council Service to determine how the matter was ultimately handled and whether the requester

followed the guidance provided in the advisory opinion. Executive Director Farris stated that he would follow up with the Director of the Legislative Council Service.

Following discussion, Chair Lang conducted a roll-call vote. All present Commissioners voted in favor. Advisory Opinion 2026-11 was approved for issuance.

9. Public Comment

Executive Director Jeremy Farris thanked Wendy George and Sharon Garcia for their work supporting the Commission's administrative operations and recognized Amy Ballou for her work as the Commission's case manager. Mr. Farris introduced the Commission's summer interns and associates: Darin Eberhardt, a rising sophomore at Georgetown University, who is researching the history of the Commission; Maricia Marquez, a rising senior at Loyola Marymount University, whose project focuses on using R to analyze Campaign Reporting Act violations; Scott Piper, a rising second-year law student at the University of New Mexico School of Law; and Miquala Purscell, a rising second-year law student at Creighton University School of Law. Mr. Farris noted that the summer associates will be assisting the Commission with various legal research projects.

Commission Staff Paul Biderman expressed his appreciation for the work of the Commission and its staff, with particular recognition of Grace Su for her contributions.

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.

10. Discussion regarding administrative matters under RULONA: (Branch)

I. 2026-NP-06

11. Discussion regarding administrative matters under State Ethics Commission Act: (Goodrich)

I. Administrative Complaint No. 2026-04

12. Discussion regarding current and potential litigation: (Woods, Farris)

- I. Authorization for a demand and civil action to enforce the Campaign Reporting Act
- II. Authorization for a demand and civil action to enforce the Lobbyist Regulation Act
- III. Authorization for a demand and civil action to enforce the Lobbyist Regulation 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).

13. Action on administrative matters under RULONA

(Branch)

- I. Commission staff sought a motion for dismissal in 2026-NP-06. Chair Lang sought a motion for the dismissal. Commissioner Villanueva 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.

14. Action on administrative matters under State Ethics Commission Act

(Goodrich)

- I. Commission staff sought a motion for the authorization to extend the investigation in 2026-04 for an additional 90 days. Commissioner Baker 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.

15. Action on Authorization of Civil Action

(Woods, Farris)

- I. Commission staff sought a motion for the authorization for the demand and civil action to enforce the Campaign Reporting Act against New Chapter New Mexico the political committee and New Chapter New Mexico the nonprofit. Chair Lang sought a motion for the authorization. Commissioner Bluestone moved to approve the authorization; Commissioner Castillo 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 the demand and civil action to enforce the Campaign Reporting Act and an authorization for a petition

to district court for the issuance of subpoenas related to the enforcement of the Campaign Reporting Act. Chair Lang sought a motion for the authorizations. Commissioner Bluestone moved to approve the authorizations; Commissioner Castillo seconded. Hearing no discussion, Chair Lang conducted a roll-call vote. All present Commissioners voted in favor aside from Chair Lang who recused himself from the vote. The authorizations were approved.

- III. Commission staff withdrew their request for authorization for the demand and civil action to enforce the Campaign Reporting Act in this agenda item.
- IV. Commission staff sought a motion for the State Ethics Commission to intervene as a party under rule 1-024(b) and an authorization for a petition to district court for the issuance of subpoenas related to the enforcement of the Governmental Conduct Act. Chair Lang sought a motion for the authorizations. Commissioner Bluestone moved to approve the authorizations; Commissioner Villanueva seconded. Hearing no discussion, Chair Lang conducted a roll-call vote. All present Commissioners voted in favor aside from Commissioner Baker who recused himself from the vote and discussion. The authorizations were approved.
- V. Commission staff sought a motion for the authorization to initiate a civil claim to seek injunctive relief under the Nondisclosure of Sensitive Personal Information Act against the New Mexico Corrections Department Cabinet Secretary in her official capacity. 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 Commissioners voted in favor. The authorization was approved.

16. Public Comment

There was no public comment.

17. Administrative

At Commissioner Bluestone's request, the Commission added an Administrative section to the agenda.

Chair Lang confirmed the next regularly scheduled meeting will take place on August 14, 2026.

Commissioner Bluestone raised, for future consideration, whether the Commission should amend its procedural rules to permit proxy voting when a Commissioner is unable to attend a meeting. Staff was asked to research the issue and report back to the Commission. No action was taken.

18. Adjournment

Chair Lang raised the adjournment of the meeting. With no objections made, the meeting adjourned at 12:35 PM.