



STATE ETHICS COMMISSION

Commission Meeting Minutes of October 2, 2026, 9:00 AM **[Subject to Ratification by Commission]**

Call to Order

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

1. Roll Call

Chair Castillo called roll; the following Commissioners were present:

Hon. Celia Foy Castillo, Chair (attended virtually)
Jeffrey L. Baker (attended virtually)
Stuart M. Bluestone (attended virtually)
Hon. Gary Clingman (attended virtually)
Hon. Dr. Terry McMillan (attended virtually)
Hon. Nan Nash (attended virtually)
Dr. Judy Villanueva (attended virtually)

2. Approval of Agenda

Chair Castillo sought a motion to approve the October 2, 2026, agenda. Commissioner Baker moved to approve the agenda; Commissioner Clingman seconded. Hearing no discussion or objections, Chair Castillo conducted a roll-call vote. All Commissioners voted in favor. The October 2, 2026, meeting agenda was approved.

3. Approval of September 11, 2026, Special Commission Meeting Minutes

Chair Castillo sought a motion for approval of the minutes of the September 11, 2026, Special meeting. Commissioner Bluestone moved to approve the minutes; Commissioner Villanueva seconded.

Hearing no discussion or objections, the September 11, 2026, meeting minutes were approved unanimously by all present Commissioners aside from Commissioner Nash who abstained from the vote.

4. Advisory Opinion 2026-13 – Governmental Conduct Act Restrictions on a Former State Agency Employee’s New Proposed Employment with a Private Firm that Contracts with the Agency

(Su)

Staff Attorney Grace Su provided an overview of the advisory opinion concerning the application of Section 10-16-8 of the Governmental Conduct Act to a former state agency employee’s proposed employment with a private firm that receives funding through the employee’s former agency. Ms. Su explained that the agency would likely be prohibited from awarding contracts to or taking favorable action toward the private firm if the former employee took official action that directly resulted in those contracts. She further explained that the former employee would be prohibited from representing the firm in matters in which they participated personally and substantially while employed by the agency. Additionally, the former employee would be prohibited from representing the firm for pay before their former agency for one year following their resignation.

Chair Castillo sought a motion to approve Advisory Opinion 2026-13. Commissioner Bluestone moved to approve the opinion for issuance; Commissioner Baker seconded. Chair Castillo conducted a roll-call vote. After some discussion, all Commissioners voted in favor. Advisory Opinion 2026-13 was approved for issuance.

5. Advisory Opinion 2026-14 – Applying Section 10-16-8 of the Governmental Conduct Act to State Executive Branch Staff Members After Their State Service

(Su)

Staff Attorney Grace Su provided an overview of the advisory opinion concerning the application of Section 10-16-8 of the Governmental Conduct Act to former state executive branch employees engaged in legislative and policy work following their state service. Ms. Su explained that former employees generally may represent individuals or entities on legislative, policy, and administrative matters of general applicability, even if they worked on those issues during their state employment. Former employees, however, are prohibited from representing others in specific matters involving identifiable parties in which they participated personally and substantially while in state service. She further explained that determining whether participation was personal and substantial depends on the significance of the employee’s involvement, rather than the amount of time spent on the matter.

Chair Castillo sought a motion to approve Advisory Opinion 2026-14. Commissioner Bluestone moved to approve the opinion for issuance; Commissioner Baker seconded. Chair Castillo conducted a roll-call vote. All Commissioners voted in favor. Advisory Opinion 2026-14 was approved for issuance.

6. Public Comment

There was no public comment.

Commission Meeting Items

---Begin Executive Session---

Chair Castillo 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 Castillo conducted a roll call vote, all Commissioners voted unanimously to enter executive session.

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

I. 2024-NP-15

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

I. Administrative Complaint No. 2026-04

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

- I. *SEC v. Shepard*, D-117-CV-2025-00260
- II. *SEC v. Tafoya Lucero*, D-101-CV-2025-02343
- III. *SEC v. Valencia, et al.*, D-820-CV-2026-00147
- IV. *SEC ex rel. Village of Angel Fire v. Lindsey, et al.*, D-809-CV-2024-00091
- V. *SEC v. XYZ Corporation*, D-202-CV-2026-06438
- VI. *Babylon Bee, LLC v. Castillo, et al.*, 1-26-cv-02628
- VII. *Shepard v. Farris and N.M. State Ethics Commission*, 1-26-cv-02732

---End Executive Session---

Closed Session Certification: The Board reconvened in open session at 10:46 AM. The Chair stated that the matters discussed in the closed session were limited only to those specified in the motion for closure. The Board approved this certification as part of the minutes pursuant to § 10-15-1(G) and (J) NMSA 1978.

10. **Action on administrative matters under RULONA**
(Branch)

- I. Commission staff sought a motion for approval of the settlement agreement in case number 2024-NP-15 in re Commission of Sylvia Lujan. Chair Castillo sought a motion for the approval of the settlement agreement. Commissioner Baker moved to approve the settlement; Commissioner Nash seconded. Hearing

no discussion, Chair Castillo conducted a roll-call vote. All present Commissioners voted in favor. The settlement agreement was approved.

11. 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 Nash moved to approve the authorization; Commissioner Clingman seconded. Hearing no discussion, Chair Castillo conducted a roll-call vote. All present Commissioners voted in favor. The authorization was approved.

12. Discussion of next meeting

(Castillo)

Chair Castillo confirmed the next regularly scheduled meeting will take place on Friday, December 11, 2026.

13. Public Comment

Commissioner Nash thanked the Commission and its staff for their important work and expressed her enthusiasm for serving on the State Ethics Commission.

14. Adjournment

Chair Castillo raised the adjournment of the meeting. With no objections made, the meeting adjourned at 10:52 AM.