



STATE ETHICS COMMISSION

Commission Meeting Minutes of September 16, 2024, 10:00AM [Subject to Ratification by Commission]

Call to Order

Chair Lang called meeting to order at 10:13 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 (attended virtually)
Hon. Terry McMillan (attended virtually)
Dr. Judy Villanueva (attended virtually)

2. Approval of Agenda

Jeremy Farris, Executive Director of the Commission, proposed an amendment to the agenda, recommending that the Executive Director assume responsibility for presenting all agenda items originally assigned to multiple staff members. Chair Lang sought motion for approval of the amended agenda. Commissioner Baker moved to approve the amended agenda; Commissioner Villanueva seconded. Hearing no discussion, Chair Lang conducted roll call vote, and Commissioners unanimously approved the amended agenda.

3. Approval of July 26, 2024, Commission Meeting Minutes

Chair Lang sought motion for approval of minutes of July 26, 2024 meeting. Commissioner Bluestone moved to approve minutes; Commissioner Castillo seconded. Hearing no discussion, Chair Lang conducted roll call vote, and Commissioners unanimously approved minutes.

Commission Meeting Items

4. FY26 Budget Request

Executive Director Jeremy Farris provided an update on the Commission’s FY26 Budget Request. The Commission is seeking a base budget request of \$1,980,100 for FY26, which fully funds the Commission’s current 10 FTEs and includes an expansion for 1 additional FTE.

Chair Lang inquired about the Commission’s recent meeting with LFC staff regarding the budget request. Director Farris described his initial meeting with LFC staff, noting that while revenue forecasts are declining, making LFC hesitant to approve a 3% increase in recurring funds, they acknowledged the Commission’s deficit in the 200s and are committed to addressing that deficiency. LFC staff also recognized that sufficient one-time funding exists and may serve as an alternative approach to fund the additional FTE in the short term.

Commissioner Baker asked about the dollar amount increase from FY25 to FY26. Director Farris confirmed that the increase is just under \$200,000.

Commissioner Bluestone inquired about the Commission’s current office space and the potential impact of relocating. Director Farris reported that the LFC is committed to safeguarding the well-being of the Commission and its staff and committed to support any facility relocation expenses through a special appropriation.

Following the discussion, Chair Lang called for a roll call vote. The Commissioners unanimously approved the FY26 Budget Request.

---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 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, Commissioners voted unanimously to enter executive session.

7. Discussion regarding current and potential litigation:

(Farris)

Issues related to State Ethics Commission v. TNMP, Inc., et al., D-202-CV-2024-04341, and Bolen v. New Mexico Racing Commission, S-1-SC-40427.

6. Discussion regarding administrative matters under State Ethics Commission Act:

(Farris)

- a. Administrative Complaint No. 2024-05
- b. Administrative Complaint No. 2024-06
- c. Administrative Complaint No. 2024-18
- d. Administrative Complaint No. 2024-21
- e. Administrative Complaint No. 2024-23
- f. Administrative Complaint No. 2024-36

---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).

8. Action on Authorization of Civil Action
(Farris)

- a. **Commission staff sought motion to file an amicus brief related to *Bolen v. New Mexico Racing Commission*:** Commissioner Bluestone moved, Commissioner Castillo seconded. Hearing no discussion, Chair Lang conducted roll call vote. Commissioners and Chair voted in the affirmative, and the amicus brief is approved for filing.

9. Action on Administrative Matters under the State Ethics Commission Act
(Farris)

Commission considered the following motions regarding actions on Administrative Complaints:

- a. **Commission staff sought 90-day extensions related to Administrative Case Nos. 2024-05, 2024-06, 2024-18, 2024-36:** Chair Lang moved as stated above, Commissioner Bluestone seconded. Hearing no discussion, Chair Lang conducted roll call vote. Commissioners and Chair voted in the affirmative, and administrative cases were settled and closed.
- b. **Commission staff sought motion of dismissal for lack of jurisdiction Administrative Case No. 2024-21, 2024-23:** Commissioner Baker moved as stated above, Chair Lang seconded. Commissioners and Chair voted in the affirmative, and the administrative case was dismissed.

10. Discussion of Next Meeting

Chair Lang confirmed next regularly scheduled meeting will take place October 4, 2024.

11. Public Comment

No public comment made.

12. Adjournment

Chair Lang raised the adjournment of meeting. With no objections made, the meeting adjourned at 11:15.

For inquiries or special assistance, please contact Ethics.Commission@sec.nm.gov