

NEW MEXICO STATE ETHICS COMMISSION

Hon. William F. Lang, Chair Jeff Baker, Member Stuart M. Bluestone, Member Hon. Celia Castillo, Member Hon. Gary Clingman, Member Hon. Dr. Terry McMillan, Member Dr. Judy Villanueva, Member

RESOLUTION NO. 2024-07 Authorizing a demand and civil action to enforce the Governmental Conduct Act

WHEREAS, THE NEW MEXICO STATE ETHICS COMMISSION ("Commission") met virtually on October 4, 2024, at 9:00 a.m.;

WHEREAS, the Commission has the power to investigate violations and bring a civil action to enforce the Governmental Conduct Act;

WHEREAS, after a legal review, the Commission has reason to believe that members of the County Livestock Loss Authority violated NMSA 1978, Subsection 10-16-4(B) of the Governmental Conduct Act by voting on matters that directly and disproportionately affected their financial interest;

WHEREAS, the Executive Director has sought the approval of the Commission to initiate a civil action under NMSA 1978, Sections 10-16-14(E), 10-16-18(B), and 10-16G-9(F) against members of the County Livestock Loss Authority, and has explained the proposed civil action and remedies to be sought;

NOW, THEREFORE, BE IT RESOLVED by the New Mexico State Ethics Commission:

1. The Commission's staff are authorized to demand that members of the County Livestock Loss Authority comply with the Governmental Conduct Act, to engage in settlement negotiations and mediation, to prepare and file a civil action in a court of competent jurisdiction seeking to enforce the civil compliance provision of the Government Conduct Act and any other relief that the court deems just and proper.

- 2. The Executive Director is instructed to provide regular updates on the status of the matter at the Commission's meetings during closed session. Commission staff shall communicate with the Chair as necessary between Commission meetings.
- 3. The Executive Director is authorized to enter an agreement to settle or dismiss claims brought against members of the County Livestock Loss Authority, upon having conferred with the Chair or his designee.

Adopted by the New Mexico State Ethics Commission this 4th day of October, 2024.

The Hon. William F. Lang New Mexico State Ethics Commission Chair