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## Approved Minutes of the Second Meeting of the Governor's Ethics and Campaign Finance Reform Task Force

Governor's Task Force on Ethics Reform

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**APPROVED MINUTES  
of the  
SECOND MEETING  
of the  
GOVERNOR’S ETHICS AND CAMPAIGN FINANCE REFORM TASK FORCE**

**May 30, 2006**

On May 30, 2006, the second meeting of the Governor’s Ethics and Campaign Finance Reform Task Force, hereinafter referred to as the “task force”, was held in Room 3402 of the University of New Mexico School of Law in Albuquerque, New Mexico.

**PRESENT**

Gov. Garrey Carruthers, Dean, NMSU School of Business and Admin. & Econ./Co-Chair  
Suellyn Scarnecchia, Dean, UNM School of Law/ Co-Chair  
Stuart Bluestone, NM Chief Deputy Attorney General  
Barbara Brazil, President, New Mexico First  
Matt Brix, Executive Director, Common Cause  
Maralyn Budke, Public Member  
John Carey, President & CEO, Association of Commerce & Industry  
Dede Feldman, NM State Senator  
Mary Graña, Public Member  
Gay Kernan, NM State Senator  
W. Ken Martinez, NM State Representative  
Kathy McCoy, NM State Representative  
Andrew Montgomery, Public Member  
Jim Noel, Exec. Director, NM Judicial Standards Commission  
Ron Solimon, President & CEO, Indian Pueblo Cultural Center  
Hilary Tompkins, Chief Counsel, Office of the Governor  
Stewart Udall, Former U.S. Secretary of the Interior  
Brad Winter, Albuquerque City Councilor

**ABSENT**

Leonard Sanchez, CPA, Moss-Adams + Neff, L.L.P.

**STAFF**

Olivia Padilla-Jackson, Director, New Mexico State Board of Finance  
Amy Camille Chavez, Deputy Director, New Mexico State Board of Finance

**COMMITTEE BUSINESS**

Governor Carruthers and Dean Scarnecchia called the meeting to order at approximately 9:00 a.m. The minutes from the last meeting of the task force on May 3,

2006 were approved with a minor correction. The task force members and the guests in the audience introduced themselves. The members discussed general topics that they would prefer for the task force to address during the course of its work period. Such topics include, but are not limited to, addressing the use of public tools for personal use, evaluation of the procurement process, the acceptance of and reporting the receipt of gifts and campaign contributions, and the possibility of a full-time salaried legislature.

Dean Scarnecchia stated that the Governor has asked the task force to make recommendations to the Governor and the Legislature by November 1, 2006. She discussed the efforts made by a task force appointed by the Governor in 1993 to reform ethics and campaign finance laws. She noted that while the current task force might be able to build on some of the work of the previous task force, several new substantive recommendations are likely to arise from current task force efforts.

## **OVERVIEW OF NEW MEXICO AND OTHER STATE LAWS AND ETHICS INITIATIVES.**

Dean Scarnecchia briefly summarized a compilation of materials illustrating laws relating to ethics and campaign finance reform and efforts made in New Mexico and other states to address such issues. Laws with respect to such issues are included in the Governmental Conduct Act, the Procurement Code, the Lobbyist Regulation Act and the Campaign Practices Act. Several bills addressing those issues were also introduced during the 2006 New Mexico state legislative session, although only one such bill became law in 2006.

## **SMALL GROUP SESSION DISCUSSIONS ON MAJOR REFORM TOPICS**

The task force members separated into three small groups to prioritize major discussion topics to be brought to the entire task force. Each group provided a brief report of its suggested major reform areas to the task force.

Group 1 recommended that the task force focus its discussions on campaign finance reform and the work of local and state entities. Campaign finance reform discussions might focus on issues including contribution limits, public finance of elections, the acceptance of gifts by public officials and employees and reporting requirements.

Group 2 recommended that the task force discuss the effect that the need for funding has on public decision-making. The group further recommended that issues such as campaign contribution limits, public funding and lobbyist donations be included as part of that discussion. Group 2 additionally recommended that the task force examine the rules that govern the conduct of public employees and officials. Political appointments and conflict of interest issues would be encompassed by that issue. Upon completion of the discussion of public employee and official conduct, Group 2 suggested that the task force compare the ethics and campaign finance reform enforcement mechanisms among the states.

Group 3 suggested four main categories of task force discussion. The first includes a discussion of methods to encourage transparency in public service. The second topic addresses possible restrictions on the use campaign contributions and honoraria. Procurement issues would also be addressed. The group further suggested that the task force discuss different means of providing ethics training to public employees, officials, boards and commissions. In addition, a discussion of enforcement might include the formation of criteria for sanctioning individuals who do not meet certain ethical standards. However, Group 3 stated that such enforcement reforms should avoid becoming over-restrictive to good faith public servants.

The task force discussed the suggestions from the small groups and concluded that the preference of the task force as a whole is to focus its discussions on campaign finance, rules of governmental conduct, prevention and enforcement and the possibility of legislative compensation. The task force further discussed suggestions from each of the small groups regarding the process in which the major topics would be examined during the course of the task force meetings. The task force members concluded that the major discussion topics could be examined by studying best practices in other states and obtaining expert testimony. The task force members additionally concluded that an overview of options for reforms with respect to the discussion topics should be presented to the task force at the next scheduled meeting, which will take place over two days. The task force members agreed that an opportunity for public commentary should be made available with respect to each major topic of discussion.

Four groups were formed to research the four major topics of task force discussion. The groups appointed are listed as follows:

<b>DISCUSSION TOPIC</b>	<b>GROUP LEADER</b>	<b>OTHER MEMBERS</b>
Campaign Finance	Matt Brix	Andrew Montgomery, Brad Winter
Governmental Conduct	Hilary Tompkins	Sen. Gay Kernan, Maralyn Budke
Prevention & Enforcement	Jim Noel	John Carey, Stuart Bluestone
Paid Legislature	Gov. Garrey Carruthers	Leonard Sanchez, Ron Solimon

## **PUBLIC COMMENT**

The task force members heard input from members of the public regarding its course of work for the next few months. A private citizen asked the task force members to consider publicly financed campaigns as an option for reform. Former Secretary of State Stephanie Gonzales also encouraged task force members to study the possibility of publicly financed campaigns.

The task force adjourned at approximately 11:45 a.m.

