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Hon. William F. Lang (*Chair*)
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STATE ETHICS COMMISSION

Standing Order No. 1 – State Ethics Commission to conduct meetings virtually or telephonically in response to the COVID-19 pandemic

WHEREAS, under 1.8.3.8 NMAC, the Executive Director may issue, or withdraw, standing orders addressing general practice issues and filing protocols for the handling of cases before the commission or its hearing officers;

WHEREAS, parties to administrative cases in the State Ethics Commission may appear before the Commission on appeals from hearing officer determinations, *see* 1.8.3.14 NMAC, and attend and listen to Commission actions on their cases, pursuant to their rights under the Open Meetings Act, *see* NMSA 1978, § 10-15-1(A);

WHEREAS, requesters of advisory opinions under NMSA 1978, Section 10-16G-8, may attend and listen to Commission actions on their requests for advisory opinions, pursuant to their rights under the Open Meetings Act, *see* § 10-15-1(A);

WHEREAS, the Commission has statutory responsibilities to timely adjudicate administrative complaints filed with the Commission, *see* NMSA 1978, § 10-16G-11(A), and to timely issue advisory opinions upon appropriate requests, *see* § 10-16G-8(A)(3);

WHEREAS, the Commission must take actions to discharge its statutory responsibilities in meetings that are open to the public, *see* § 10-15-1;

WHEREAS, physical Commission meetings that are open to the public jeopardize the health of the Commissioners, Commission staff, parties, and the public given the current community spread of SARS-CoV-2 and the resulting COVID-19 disease; and

WHEREAS, Open Meetings Act permits the Commission to conduct its meetings by means of a conference telephone or other similar communications equipment,


so long as members of the public are also able to hear and to telephonically or virtually participate in such meetings; and

WHEREAS the representative, democratic, accountable, and participatory form of government should not be suspended in the face of any jeopardy, including a pandemic;

THEREFORE, it is ordered:

1. The State Ethics Commission will conduct its regularly scheduled meetings through a telecommunications platform that allows parties to Commission administrative cases, requesters of advisory opinions, and members of the public to virtually or telephonically attend, listen, and participate.
2. This order is in effect until the Executive Director rescinds it, taking into consideration whether the Department of Health has rescinded the public health emergency orders issued on March 13, 16, and 19, 2020.

Entered this 20th day of March 2020.


Jeremy Farris
Executive Director
State Ethics Commission