

NMPRC NOMINATING COMMITTEE
Thursday, October 3, 2022 at 9:00 am
State Capitol, Room 307

MINUTES OF THE MEETING

I. CALL TO ORDER

The scheduled meeting of the NMPRC Nominating Committee was called to order on October 3, 2022 at 9:06 a.m. by Sectary Baldonado Egolf.

II. ROLL CALL

Roll call indicated the presence of a quorum in person, as follows:

MEMBERS PRESENT

The Honorable Brian Egolf, Chairperson [arriving later]

The Honorable Alonzo Baldonado, Secretary

Member Denise Ramonas

Member Cydney Beadles

Member Rikki Seguin

Member William Brancard

Member Ron Lovato was absent.

III. APPROVAL OF AGENDA

Member Brancard moved, seconded by Member Beadles to approve the agenda as published. Without opposition, the agenda was approved.

Chair Egolf joined the meeting at 9:10 and assumed the chair role.

IV. REPORTS FROM THE OFFICE OF THE ATTORNEY GENERAL KARLA SOLORIA, (INFORMATIONAL ITEM)

Ms. Soloria, in response to the Committee's request at the last meeting, did additional research and analysis and concluded there was no applicable exception for this Committee to meet in closed executive session. She acknowledged it was not always black and white but that was her conclusion and recommendation to the Committee. She explained that since the Committee has no supervisory authority over the candidates who were employed, there was no

parallel for the personnel exception. She looked at other states and their case law and found no cases regarding public utilities or regulation commissions. One in Ohio did an exception but was for the appointment of the public officials. That was the only example she found and there was no guidance there.

Chair Egolf accepted her analysis and asked what consequences this Committee would face personally if they met in closed session to discuss the applicants and then reconvened to act.

Ms. Soloria said if the action were challenged and that prevailed, the action would be invalid. Under Section 10-15-4 it could be a misdemeanor.

Subcommittee Considerations

Ms. Soloria suggested having a subcommittee, lacking a quorum, to have internal discussions from which recommendations could be brought to the Committee. If there were litigation from a challenge, the Committee would be required to redo the process. The allegations would not be to the subcommittee but to the body.

Member Seguin asked for help on forming a subcommittee.

Ms. Soloria observed that subcommittee creation was not on the agenda. But it might make sense to have two groups reviewing them with no more than three committee members on each one.

The Committee briefly discussed factors that exclude candidates from further consideration, including lack of a college degree, and noting that party affiliation was a matter of public record.

Ms. Kepler acknowledged that all applicant names were now public information.

Mr. Propst said he would clarify party registrations with the Secretary of State and would eliminate the duplicate applications on this list.

After further discussion, Chair Egolf agreed to have a subcommittee to find what was good or bad among the applications and provide an oral recommendation of the preliminary list for Committee consideration and vote.

Three members volunteered to be the subcommittee: Rikki Seguin, Cydney Beadles, and Denise Ramonas. They agreed to present a recommended list of those to be considered for an interview.

Meeting Schedule Discussion

Member Seguin suggested, with a subcommittee report on October 18th, not to waste an October date and asked for interviews to begin the week of October 24.

The Committee decided to meet on October 25.

Questionnaire Discussion

Member Ramonas asked to which group of applicants the questionnaire should be sent.

Member Seguin proposed sending it to those the Committee decided to interview after the meeting on October 18, to be returned before the October 25 interviews.

Chair Egolf asked Ms. Kepler to finalize the questionnaire to choose the questions that were appropriate to ask from those submitted by the Committee members.

Ms. Kepler agreed to edit the list appropriately.

V. UPDATE ON RECRUITMENT PROCESS, PRC HUMAN RESOURCES STAFF, (INFORMATIONAL ITEM)

There were no updates on the recruitment process.

VI. REVIEW OF APPLICATIONS (POSSIBLE CLOSED EXECUTIVE SESSION)

Ms. Kepler agreed to notify all applicants that their application was a matter of public record.

The Committee decided to post just the names of those reported from the subcommittee in alphabetical order on the website.

VII. PUBLIC COMMENT PERIOD

There were no public comments.

VIII. OTHER BUSINESS

There was no other business to come before the Committee.

IX. ADJOURNMENT

The meeting was adjourned at 10:15 a.m.

Approved by:

Brian Egolf, Chair

Date