



STATE ETHICS COMMISSION

Jeremy Farris, Executive Director
800 Bradbury Drive Southeast, Suite 215
Albuquerque, NM 87106
505.490.0951 | jeremy.farris@state.nm.us

Hon. William F. Lang (Chair)
Jeffrey L. Baker
Stuart M. Bluestone
Hon. Garrey Carruthers
Hon. Celia Foy Castillo
Ronald Solimon
Dr. Judy Villanueva

Jeremy D. Farris, Executive Director

March 14, 2022

Via Electronic Mail

Sharon Pino

Deputy Secretary of State and Chief of Staff
New Mexico Office of the Secretary of State
325 Don Gaspar, Ste. 300
Santa Fe, NM 87501
(505) 827 3636
sharon.pino@state.nm.us

Re: Referral of State Ethics Commission Case No. 2022-005 pursuant to NMSA 1978, Subsections 1-19-34.4(C) and 2-11-8.2(B).

Dear Deputy Secretary of State Pino,

On March 10, 2022, the State Ethics Commission received an administrative complaint, which the Commission has assigned No. 2022-005, that, in part, is subject to referral to the Office of the Secretary of State. In this matter, the complainant, Paul Gessing, alleges that the respondent, Dayan Hochman-Vigil, violated provisions of the Campaign Reporting Act, NMSA 1978, §§ 1-19-25 to -37 (1979, as amended 2021), and the Lobbyist Regulation Act, NMSA 1978, §§ 2-11-1 to -10 (1977, as amended 2021). *See* Attach 1., Compl., at pp. 7, 9, 11-12, 17 *Gessing v. Hochman-Vigil* (State Ethics Comm'n, Mar. 14, 2022).

Because the State Ethics Commission has jurisdiction for this complaint, the complaint's Campaign Reporting Act claims and Lobbyist Regulation Act claims are subject to referral to the Office of Secretary of State under Subsection 1-19-34.4(C) of the Campaign Reporting Act and Subsection 2-11-8.2(B) of the Lobbyist Regulation Act.¹ So that the parties to the administrative matter are fully apprised of the statutorily required process, those subsections provide:

Any person who believes that a provision of the Campaign Reporting Act has been violated may file a written complaint with the state ethics commission pursuant to the terms of the State Ethics Commission Act. If the commission has jurisdiction for the complaint, the state ethics commission shall refer the complaint to the secretary of state. Upon referral, the secretary of state shall attempt to achieve voluntary compliance with the Campaign Reporting Act. Within *thirty-five days* after receiving the complaint

¹ The complaint's claims under the Governmental Conduct Act, NMSA 1978, §§ 10-16-1 to -18 (1967, as amended 2019), and the Gift Act, §§ 10-16B-1 to -5 (2007, as amended 2019), by contrast, are not subject to referral and remain with the State Ethics Commission for investigation and adjudication under the State Ethics Commission Act, NMSA 1978, §§ 10-16G-1 to -16 (2019, as amended 2021), and 1.8.3 NMAC.

State Ethics Commission
Administrative Case No. 2022-005
March 14, 2022
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from the state ethics commission, the secretary of state shall return the complaint to the state ethics commission and certify to the state ethics commission whether voluntary compliance was achieved. If the secretary of state certifies voluntarily compliance, the state ethics commission shall dismiss the complaint or that part of the complaint alleging a violation of the Campaign Reporting Act. If the secretary of state does not certify voluntarily compliance, the state ethics commission shall proceed with the complaint pursuant to the terms of the State Ethics Commission Act.

§ 1-19-34.4(C) (1993, as amended 2021) (emphasis added); and

Any person who believes that a provision of the Lobbyist Regulation Act has been violated may file a written complaint with the state ethics commission pursuant to the terms of the State Ethics Commission Act. If the commission has jurisdiction for the complaint, the state ethics commission shall refer the complaint to the secretary of state. Upon referral, the secretary of state shall attempt to achieve voluntary compliance with the Lobbyist Regulation Act. Within *twenty days* after receiving the complaint from the state ethics commission, the secretary of state shall return the complaint to the state ethics commission and certify to the state ethics commission whether voluntary compliance was achieved. If the secretary of state certifies voluntary compliance, the state ethics commission shall dismiss the complaint or that part of the complaint alleging a violation of the Lobbyist Regulation Act. If the secretary of state does not certify voluntary compliance, the state ethics commission shall proceed with the complaint pursuant to the terms of the State Ethics Commission Act.

§ 2-11-8.2(B) (1977, as amended 2021) (emphasis added); *see also* Substitute Joint Powers Agreement for Shared Jurisdiction Under the Campaign Reporting Act between the New Mexico State Ethics Commission and the New Mexico Secretary of State, at § II(A) (Aug. 17, 2021), *available at* https://www.sec.state.nm.us/wp-content/uploads/2021/08/2021-08-16_Amendment_No._1_to_JPA_for_CRA_MTO_JDF_DFA-signed.pdf (last accessed Mar. 14, 2022); Substitute Joint Powers Agreement for Shared Jurisdiction Under the Lobbyist Regulation Act between the New Mexico State Ethics Commission and the New Mexico Secretary of State, at § II(A) (Aug. 17, 2021), *available at* https://www.sec.state.nm.us/wp-content/uploads/2021/08/2021-08-16_Amendment_No._1_to_JPA_for_LRA_MTO_JDF_DFA-signed.pdf (last accessed Mar. 14, 2022).

Accordingly, the Commission requests that the Office of the Secretary of State review the attached complaint. If the Office of Secretary of State is able to certify voluntarily compliance with the Campaign Reporting Act, please provide that certification by April 18, 2022. If the

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Office of Secretary of State is able to certify voluntarily compliance with the Lobbyist Regulation Act, please provide that certification by April 3, 2022.

Please do not hesitate to contact me with any questions or concerns.

Very truly yours,

/s/ Jeremy Farris
Jeremy Farris
Executive Director
State Ethics Commission

(Enclosures)

cc: Walker Boyd, General Counsel, State Ethics Commission (via email:
Walker.Boyd@state.nm.us)

Dylan Lange, General Counsel, Office of the Secretary of State (via email:
Dylan.Lange@state.nm.us)

Mandy Vigil, Director, Elections Division, Office of the Secretary of State (via email:
Mandy.Vigil@state.nm.us)

Paul Gessing, *Complainant to Case No. 2022-005* (via Proceedings Portal)

Dayan Hochman-Vigil, *Respondent to Case No. 2022-005* (via Proceedings Portal)



NEW MEXICO STATE ETHICS COMMISSION

Hon. William F. Lang (Chair)
Jeff Baker
Stuart M. Bluestone
Hon. Garrey Carruthers
Hon. Celia Foy Castillo
Ron Solimon
Dr. Judy Villanueva

800 Bradbury Dr. SE, Suite 215, Albuquerque, New Mexico 87106

505-780-7800 | ethics.commission@state.nm.us

EXHIBIT
1

STATE ETHICS COMMISSION
RECEIVED
Date: 2022-03-10
No.: C-2022-005

COMPLAINT FORM

By my signature below, I verify that the allegations contained in this complaint, along with the attachments and exhibits hereto, are true and correct to the best of my knowledge and belief, and that I believe the allegations herein violate New Mexico election and/or ethics law.

COMPLAINANT'S INFORMATION (Person(s) and/or Organization(s) filling out this complaint)

Name or Organization: Paul Gessing

Address: 400 Gold Street SW, #909

City: Albuquerque State: New Mexico Zip: 87123

Phone: 5052646090 Email: pgessing@riograndefoundation.org

RESPONDENT'S INFORMATION (Person(s) and/or Organization(s) this complaint is filed against)

Include information for additional respondents (if any) on a separate sheet. Complaints submitted without the Respondent's address or email will not be accepted.

Name or Organization: Dayan Hochman-Vigil

Address: 8100 Wyoming Boulevard Suite M4-336

City: Albuquerque State: New Mexico Zip: 87113

Phone: 5059482320 Email: _____

Have you submitted or will you submit this or a substantially similar complaint against the Respondent with another governmental agency:

Yes No If Yes, which agency: House Rules Committee of NM Legislature

Is there any pending legal action against the Respondent for the conduct alleged in the complaint?

Yes No Unsure

The State Ethics Commission has jurisdiction to investigate and adjudicate alleged violations of the following statutes. Please indicate the law(s) you believe have been violated and, if known, include specific provisions in the Complaint Description. (Check all that apply):

- | | |
|---|---|
| <input type="checkbox"/> Campaign Reporting Act | <input type="checkbox"/> Procurement Code |
| <input type="checkbox"/> Financial Disclosure Act | <input type="checkbox"/> State Ethics Commission Act |
| <input type="checkbox"/> Gift Act | <input type="checkbox"/> Article 9, Section 14 of the Constitution of New Mexico (Anti-Donation Clause) |
| <input type="checkbox"/> Lobbyist Regulation Act | <input checked="" type="checkbox"/> Unsure |
| <input type="checkbox"/> Voter Action Act | |
| <input type="checkbox"/> Governmental Conduct Act | |

Do you believe any of the conduct alleged in this complaint constitutes a violation of criminal law?

Yes No Unsure

Attached hereto are ____ additional pages which reasonably describe the actions or inactions which I believe violate the selected laws as indicated above.

COMPLAINT DESCRIPTION

Please use the following format for your description of each alleged violation: 1) Law violated; 2) Relevant section(s) or provision(s) of the law; 3) Description of alleged violation; and 4) List of facts that substantiate your allegations; 5) Names and contact information of any witnesses; 6) What action(s) on part of the Respondent will resolve your concern; and 7) Description of supporting documents included with this complaint or documents relevant to the complaint, if any. Please include the date, place, and time of conduct (to the best of your knowledge) for each violation alleged.

By submitting this complaint, I attest under oath and subject to penalty of perjury that the information in the complaint, and any attachments provided with the complaint, are true and accurate.

3/11/2022 Paul Gessing

COMPLAINANT'S INFORMATION

PAUL J. GESSING

Address: 400 Gold Street, SW, #909

Albuquerque, NM 87102

Phone: (505) 264-6090

Email: pgessing@riograndefoundation.org

RESPONDENT'S INFORMATION

MRS. CHARLES J. (DAYAN MERCEDES HOCHMAN) VIGIL

Address: 8100 Wyoming Boulevard Suite M4-336

Albuquerque, NM 87113

Home Phone: (505) 948-2320

Email: dayan.hochman-vigil@nmlegis.gov

1 House Ethics Complaint

2
3 55th Legislature - STATE OF NEW MEXICO - Second Session, 2022
4



5 Introduced by

6 Paul Gessing

7
8 A COMPLAINT RELATING TO ETHICS; SEEKING THE DISCIPLINING OF A HOUSE
9 MEMBER

10 A statement with reasonable particularity of the relevant facts upon which the charges are based,
11 to allow the house to balance the various interests involved - including the particular needs of the
12 house, fairness to an accused member and regard for potential criminal prosecutions and the
13 criminal justice system.

14
15 Mrs. Charles J. (Dayan Hochman-) Vigil is the member of the State of New Mexico House of
16 Representatives, District 15, Bernalillo County.

1 SECTION 1.) NEW DAY FOR NM (CHAS VIGIL, TREAS) DESCRIPTION OF
2 RESPONDENT'S CONDUCT

3 Records of the Secretary of State shows that a campaign committee (New Day For NM, Charles
4 Vigil, Treasurer) made expenditures, not reasonably related to serve constituents, without
5 limitations on use, to a consultant:

6 who fails to disclose contracts with Virgin Galactic, a foreign for-profit corporation that
7 influenced legislation; introduced by the candidate with effect on Facilities Lease with Spaceport
8 America;

9 The New Mexico Spaceport Authority executed the Facilities Lease with Virgin Galactic on or
10 about December 31, 2008. The Facilities Lease is alleged to be amended on or about December
11 31, 2018. The Legislature of the State of New Mexico (HB68 sponsor: Hochman- Vigil, 2021
12 Regular) limits the liability for the operation of the Spaceport; and, the Spaceport Authority and
13 Virgin Galactic will renegotiate the limits of liability contained in the Facilities Lease (15.6.
14 Change in Limits.) for comprehensive aviation liability policies of insurance, including Aircraft
15 liability, passenger liability, Airport/Spaceport premises liability, contractual liability and
16 products/completed operations, from no less than Two Hundred Million and No/100s Dollars
17 (\$200,000,000.00) to one million dollars (\$1,000,000) annually.

18 LAWS ALLEGED TO BE VIOLATED

19 NMSA 10-16-3, 10-16-4, 10-16-4.2, 10-16-9 Subsection B
20 House Rule 26-1(A), House Rule 26-1(C)(1)

21 EVIDENCE WITH EXHIBIT A

22 REFERENCE

23 16:20 / 65:14 Jill Meyers income, 6-8 consulting clients, spring 2018

24 39:15 / 65:14 under the table Virgin Galactic sponsorship

25 CITE

26 STEM Southwest Podcast - 066 STEM in Flight, with Jill Meyers, 02/23/21, URL:

27 <http://stemsw.com/066-stem-in-flight-with-jill-meyers/>

28 EVIDENCE WITH EXHIBIT B

29 REFERENCE

30 7:00 / 29:38 Jill Meyers has two covert Virgin Galactic consulting contracts

31 CITE

1 STEM Southwest Podcast 072 Virgin, Space, and Elon Musk, with Jill Meyers, August 2, 2021.
2 Internet access 12/23/21, URL: [http://stemsw.com/072-virgin-space-and-elon-musk-with-jill-](http://stemsw.com/072-virgin-space-and-elon-musk-with-jill-meyers/)
3 [meyers/](http://stemsw.com/072-virgin-space-and-elon-musk-with-jill-meyers/)

4 CITE

5 STEM Southwest Podcast - 066 STEM in Flight, with Jill Meyers on Stitcher, 02/23/21, URL:
6 <http://stemsw.com/066-stem-in-flight-with-jill-meyers/>

7 EVIDENCE WITH EXHIBIT C

8 REFERENCE

9 Facilities Lease between Virgin Galactic, LLC and NM Spaceport Authority.

10 15.6. Change in Limits. If, during the Term, the Legislature of the State of New Mexico
11 increases the maximum limits of liability under the Tort Claims Act (NMSA 1978, Sections 41-
12 4-1 through 41-4-27) to an amount greater than the amounts required in this Paragraph 15, the
13 Authority may require Virgin to increase the limits of any insurance required herein to an
14 amount equal to such increased Tort Claims Act maximum limits of liability. If, during the Term,
15 the Legislature of the State of New Mexico limits the liability for the operation of the Spaceport,
16 the Authority and Virgin will renegotiate the limits of liability contained in this Paragraph 15.

17 CITE

18 Facilities Lease between Virgin Galactic, LLC and NM Spaceport Authority. Internet access
19 02/04/21, URL: [https://nmpolitics.net/index/wp-content/uploads/2017/08/Executed-VG-](https://nmpolitics.net/index/wp-content/uploads/2017/08/Executed-VG-Lease.pdf?x18930&x18930)
20 [Lease.pdf?x18930&x18930](https://nmpolitics.net/index/wp-content/uploads/2017/08/Executed-VG-Lease.pdf?x18930&x18930)

21 EVIDENCE WITH EXHIBIT D

22 REFERENCE

23 FISCAL IMPACT REPORT SPONSOR Hochman-Vigil LAST UPDATED 02/01/21 HB 68
24 SHORT TITLE Space Flight Informed Consent Act Changes
25 ANALYST Martinez

26 . . . NMSA is of the opinion that it may be reasonable to expect that the spaceport's primary
27 tenant, Virgin Galactic, might reconsider and re-evaluate its presence at the spaceport and in
28 New Mexico, should the protections not be provided.

29 CITE

30 2021 Regular Session - HB 68, Space Flight Informed Consent Act Changes, URL:
31 <https://nmlegis.gov/Legislation/Legislation?chamber=H&legType=B&legNo=68&year=21>

1 <https://nmlegis.gov/Sessions/21%20Regular/firs/HB0068.PDF>

2

3 SECTION 2.) NEW DAY FOR NM (CHAS VIGIL, TREAS) DESCRIPTION OF
4 RESPONDENT’S CONDUCT

5 Campaign committee made expenditures not reasonably related to serve constituents, without
6 limitations on use, to a consultant:

7 An individual who is responsible for the distribution of funds, and president of Women in

8 Aviation (WAI) Land of Enchantment Chapter (85-0960381), an organization with delinquent

9 New Mexico Attorney General Office non- profit registration submission,

10 that receives contributions from Virgin Galactic, a foreign business entity;

11 whose members include the Government Affairs Director for Virgin Galactic, not registered as a

12 lobbyist with Secretary of State - NM; and,

13 the candidate is the person authorized to receive service of process for WAI Land of

14 Enchantment Chapter.

15 LAWS ALLEGED TO BE VIOLATED

16 NMSA 2-11-3, 2-11-8.1 Lobbyist Act

17 NMSA 10.16.3; 10-16-4; 10-16-4.2 Governmental Conduct Act

18 NMSA 57-22-6 Charitable SoliLAWS ALLEGED TO BE VIOLATED Act

19 EVIDENCE WITH EXHIBIT E

20 CITE

21 Registration Submitted 8/22/2020, 00004012023548784, Articles of Incorporation, Signed

22 Bylaws. WAI Land of Enchantment Chapter (85-0960381), New Mexico Attorney General, New

23 Mexico - Charitable Organization Registration Online System (NM-COROS). URL:

24 <https://secure.nmag.gov/CharitySearch/CharityDetail.aspx?FEIN=85-0960381>.

25 EVIDENCE WITH EXHIBIT F

26 REFERENCE

27 16:20 / 65:14 Jill Meyers income, 6-8 consulting clients, spring 2018

28 18:20 / 65:14 hired Hochman- Vigil, FAA Attny

29 38:15 / 65:14 founder WAI-NM

30 39:15 / 65:14 under the table Virgin Galactic sponsorship

31 40:02 / 65:14 WAI-NM founder, president, vice president

1 CITE

2 STEM Southwest Podcast - 066 STEM in Flight, with Jill Meyers on Stitcher, 02/23/21, URL:

3 <http://stemsw.com/066-stem-in-flight-with-jill-meyers/>

4 EVIDENCE WITH EXHIBIT G

5 REFERENCE

6 7:00 / 29:38 Jill Meyers has two covert Virgin Galactic consulting contracts; Virgin Galactic VIP
7 invitation

8 CITE

9 STEM Southwest Podcast 072 Virgin, Space, and Elon Musk, with Jill Meyers, August 2, 2021.

10 Internet access 12/23/21, URL:

11 <http://stemsw.com/072-virgin-space-and-elon-musk-with-jill-meyers/>

12 SECTION 3.) NEW DAY FOR NM (CHAS VIGIL, TREAS) DESCRIPTION OF
13 RESPONDENT’S CONDUCT

14 Campaign committee made expenditures not reasonably related to serve constituents, without
15 limitations on use, to a consultant:

16 who is not a registered lobbyist for Meyers AeroConsulting; Virgin Galactic, LLC (NYSE:
17 SPCE), Virgin Galactic Holdings, Inc., Galactic Ventures, LLC, et al.; or Women in Aviation
18 (WIA);

19 Virgin Galactic, LLC. (Business ID#: 2913507) and Virgin Galactic Holdings, Inc. (Business
20 ID#: 6083323) are Foreign For-Profit Corporations operating in New Mexico (Virgin Galactic
21 Holdings, Inc.; Business Purpose: conduct commercial spaceflights activities); and, securities in
22 these corporations are held by agents of foreign principals who are engaged in political activities
23 or other activities specified under statute and required to make periodic public disclosure of their
24 relationship with the foreign principal, as well as activities, receipts and disbursements in support
25 of those activities, under Foreign Agents Registration Act (FARA) enacted in 1938:

26 Virgin UK Holdings Limited, Registered number 03160887, and some of its subsidiaries (Vieco
27 10 Limited, et al.), which prepare a “Section 172 statement”, that describes how the directors of
28 the company have had regard to their statutory duties to promote the success of the company (as
29 set out in section 172(1) (a) to (f) of the Companies Act 2006); The likely consequence of any
30 decision in the long term . . . sale of some liquid investments in the Virgin Group’s investment
31 portfolio, such as a portion of the Virgin Group’s holding in Virgin Galactic;

1 Aabar Investments PJS, a private joint stock company established under the laws of the Emirate
2 of Abu Dhabi, which is the sole owner of Aabar Space, Inc.; International Petroleum Investment
3 Company PJSC; and, Mubadala Investment Company PJSC, a sovereign investor that manages a
4 portfolio of assets and investments in the United Arab Emirates and abroad, to generate
5 sustainable financial returns for its shareholder, the Government of Abu Dhabi.

6 LAWS ALLEGED TO BE VIOLATED

7 NMSA 2-11-3, 2-11-8.1 Lobbyist Act

8 NMSA 10-16-4.2 Governmental Conduct Act

9 NMSA 57-22-6 Charitable SoliLAWS ALLEGED TO BE VIOLATED Act

10 EVIDENCE WITH EXHIBIT H

11 Entity Name Meyers AeroConsulting LLC Business ID# 5879540 Domestic Limited Liability
12 Company State of Incorporation New Mexico Status Dissolved.

13 Meyers AeroConsulting LLC Filing Date 09/29/2021 Business Dissolution Processed Date
14 10/26/2021 2188693

15 Entity Details

16 Business ID#:5879540

17 Status: Dissolved

18 Entity Name:Meyers AeroConsulting LLC

19 Standing:N/A

20 DBA Name:Not Applicable

21 Entity Type and State of Domicile

22 Entity Type:Domestic Limited Liability Company

23 State of Incorporation:New Mexico

24 Statute Law Code:53-19-1 to 53-19-74

25 Formation Dates

26 Date of Incorporation in NM:Not Applicable

27 Date of Organization in NM:04/05/2019

28 CITE

29 Corporations/LLC Search Results, Corporations and Business Search - SOS Portal. Internet
30 access 01/03/21, URL:

1 <https://portal.sos.state.nm.us/BFS/online/corporationbusinesssearch/CorporationBusinessInforma>
2 [tion](#)

3 EVIDENCE WITH EXHIBIT I

4 REFERENCE

5 WIA Land of Enchantment Chapter

6 Signed By Laws

7 Section 3.03. Limitations. Chapter is not formed for pecuniary profit or financial gain . . . no
8 substantial part of its activities shall be on the carrying-on of propaganda, or otherwise
9 attempting to influence legislation, and it shall not participate or intervene (including the
10 publishing or distributing of statements) in any political campaign on behalf of any candidate for
11 public office.

12 CITE

13 Registration Submitted 8/22/2020, 00004012023548784, Articles of Incorporation, Signed By
14 Laws. WAI Land of Enchantment Chapter (85-0960381), New Mexico Attorney General, New
15 Mexico - Charitable Organization Registration Online System (NM-COROS). URL:

16 <https://secure.nmag.gov/CharitySearch/CharityDetail.aspx?FEIN=85-0960381>

17 EVIDENCE WITH EXHIBIT J

18 Employer Virgin Galactic, LLC

19 Filing Period January 2012 Regular Report

20 Date Submitted 1/13/2012 9:35 AM

21 Total Contributions \$14,400.00

22 CITE

23 Virgin Galactic, LLC. Search Lobbyists Employers, NM Campaign Finance Information System.

24 Internet access 12/31/21, URL:

25 <https://www.cfis.state.nm.us/media/ReportEmployer.aspx?id=428&el=0>

26 EVIDENCE WITH EXHIBIT K

27 REFERENCE

28 5:30 / 6:46 Virgin Galactic negotiated Informed Consent bill with Trial Lawyers

29 CITE

30 Press Conference - Agreement Reached on Spaceport America, January 23, 2013. Internet access

31 12/31/21, URL: <https://youtu.be/efz4AQ1PHE0>

1 EVIDENCE WITH EXHIBIT L

2 REFERENCE

3 Corporate governance

4 This section of the website contains the financial statements of Virgin UK Holdings Limited and
5 some of its subsidiaries, which prepare a “Section 172 statement”. This statement describes how
6 the directors of the company have had regard to their statutory duties to promote the success of
7 the company (as set out in section 172(1) (a) to (f) of the Companies Act 2006).

8 Section 172 Companies Act 2006

9 a) The likely consequence of any decision in the long term

10 . . . the sale of some liquid investments in the Virgin Group’s investment portfolio, such as a
11 portion of the Virgin Group’s holding in Virgin Galactic.

12 CITE

13 Section 172 Companies Act 2006. Virgin UK Holdings Limited and subsidiary companies.
14 Annual Report and Financial Statements, Registered number 03160887, 31 December 2020.
15 Corporate governance. Virgin 2021. Internet access 01/01/22, URL:

16 <https://www.virgin.com/doc/Virgin-UK-Holdings-Limited-2020-Financial-Statements.pdf>

17

18 SECTION 4.) NEW DAY FOR NM (CHAS VIGIL, TREAS) DESCRIPTION OF
19 RESPONDENT’S CONDUCT

20 Campaign committee made expenditures not reasonably related to serve constituents, without
21 limitations on use, to a consultant:

22 who is an individual contributor, consultant, fundraiser, and employee to the campaign
23 committee;

24 LAWS ALLEGED TO BE VIOLATED

25 NMSA 2-11-2; 2-11-3; 2-11-8.1 Lobbyist Act

26 NMSA 10-16-3; 10-16-4.2 Govt Conduct Act

27 EVIDENCE WITH EXHIBIT M

28 REFERENCE

29 New Day For NM, Form A, Submitted: 4/13/2020. SECRETARY OF STATE 2020 - New
30 Mexico Secretary of State. Internet access 12/23/21, URL:

31 https://www.cfis.state.nm.us/docs/FPReports/6792_62044_2020_4_13_135213.pdf

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SECTION 5.) NEW DAY FOR NM (CHAS VIGIL, TREAS) DESCRIPTION OF
RESPONDENT’S CONDUCT

Campaign committee made expenditures not reasonably related to serve constituents, without
limitations on use, to a consultant:
who is a client of Rodey, Dickason, Sloan, Akin & Robb, PA. (Business ID# 717587) a
Domestic Profit Professional Corporation, employer of the campaign committee treasurer; and,
the campaign committee treasurer is related to the candidate, by marriage;

LAWS ALLEGED TO BE VIOLATED

NMSA 1-19-34 Elections

NMSA 10-16-3 Govt Conduct

EVIDENCE WITH EXHIBIT N

CITE

Hochman- Vigil, 2020 Financial Disclosure Statement, New Mexico Secretary of State. Internet
access 01/03/22, URL: <https://portal.sos.state.nm.us/FinancialDisclosure/search.aspx>

EVIDENCE WITH EXHIBIT O

REFERENCE

New Mexico Spaceport Authority Special Meeting 6/26/17
Mr. DeGregorio. NMFA . . . Since then, we’ve worked with the Rodey Law Firm, and other
attorneys . . .

CITE

Chairman Holdridge led the Pledge of Allegiance. - Spaceport America. New Mexico Spaceport
Authority Special Meeting 6/26/17. Internet access 01/03/22, URL:
https://www.google.com/url?sa=t&source=web&rct=j&url=https://spaceportamerica.com/wp-content/uploads/2019/09/APPROVED-6-26-17-SPECIAL-BOD.pdf&ved=2ahUKEwjM9N3px_70AhXFHDQIHQtTBGQQFnoECDMQAQ&usg=AOvVaw3I6AOa9LI7jXPC2g8pkXe8

EVIDENCE WITH EXHIBIT P

REFERENCE

Director Buchholtz announced that he now works for the Rodey Law Firm, and because NMSA
also has contracts with the Rodey Firm, he felt a duty to clarify his circumstances. He stated for

1 the record he has no compensation from Rodey for helping with this resolution. He has
2 committed as a board member without compensation to assist in the matter, since it is in his
3 expertise. NMSA be represented by in-house counsel, Ryan Noble, not by Director Buchholtz.
4 Director Buchholtz didn't think this was necessary to seek outside counsel. Director Buchholtz
5 stated again that he worked this resolution with Mr. Noble . . .

6 CITE

7 NM Spaceport Board Minutes - 7/1/14 Draft PDF Board Of Directors Loans. Internet access
8 01/01/22, URL:

9 <https://scr.toolsminati.com/document/236729138/NM-Spaceport-Board-Minutes-7-1-14-Draft>

10 EVIDENCE WITH EXHIBIT Q

11 Registered Agent Information

12 Name: Charles J. Vigil (sic)

13 Physical Address: 201 Third St., NW, Suite 2200, Albuquerque, NM 87102

14 Date of Appointment: 12/29/1971

15 Director Information

16 Director Charles J. Vigil 7224 Copper Grass Ct, NE, Albuquerque, NM 87113

17 Director David P. Buchholtz

18 9921 Barrinson, NE, Albuquerque, NM 87111

19 Cite

20 Corporations/LLC Search Results, Entity Name Rodey, Dickason, Sloan, Akin, & Robb, P.A.,
21 717587. Business Search, Secretary of State-NM.

22 SECTION 6.) New Day For NM (Chas Vigil, Treas) DESCRIPTION OF RESPONDENT'S
23 CONDUCT

24 Campaign committee made expenditures without limitations on use, not reasonably related to
25 serve constituents, to a consultant:

26 who hired the candidate in a professional capacity;

27 LAWS ALLEGED TO BE VIOLATED

28 NMSA 10-16-4.2; Disclose Outside Employment

29 House Rule 26-1(B)2, 26-1(C), 26-1(3); Ethics

1 CITE

2 New Day For NM FORM A, Submitted: 4/13/2020. SECRETARY OF STATE 2020 - New
3 Mexico Secretary of State. Internet access 12/23/21, URL:

4 [https://www.google.com/url?sa=t&source=web&rct=j&url=https://www.cfis.state.m.us/docs/FP
Reports/6792_62044_2020_4_13_135213.pdf&ved=2ahUKewjixKi2s_v0AhUTJzQIHQ9XBRI
QFnoECBgQAQ&usg=AOvVaw1W50t-SIFtG1S8itR8LDrW](https://www.google.com/url?sa=t&source=web&rct=j&url=https://www.cfis.state.m.us/docs/FP
5 Reports/6792_62044_2020_4_13_135213.pdf&ved=2ahUKewjixKi2s_v0AhUTJzQIHQ9XBRI
6 QFnoECBgQAQ&usg=AOvVaw1W50t-SIFtG1S8itR8LDrW)

7 EXHIBIT R

8 Jill Meyers and Aviation in New Mexico - Spaceport America Podcast

9 12:40 / 39:20 Hochman- Vigil (HHOCH)

10 13:05 / 39:20 HHOCH partnership begins July, 2018

11 13:50 / 39:20 Rodey law meeting; Chuck Vigil invited wife, HHOCH

12 14:30 / 39:20 Meyers hired HHOCH

13 15:00 / 39:20 March, 2019 lunch; HHOCH elected Nov, 2018, hired assistant, constituent

14 services director, authority to contact constituents, scheduler, communications (social media)

15 17:20 / 39:20 attack aviation problems with HHOCH

16 17:38 / 39:20 HHOCH sponsors HB69 drafted by Meyers working group

17 18:00 / 39:20 HHOCH helped Spaceport America with Informed Consent bill

18 24:00 / 39:20 Meyers, Virgin Galactic (NYSE: SPCE)

19 24:14 / 39:20 Meyers, HHOCH, NYSE: SPCE October, 2019 presentation

20 25:10 / 39:20 NYSE: SPCE corporate sponsor Women in Aviation (WIA), Meyers is WIA

21 officer

22 31:00 / 39:20 NYSE: SPCE invites Meyers to Spaceport America

23 35:44 / 39:20 HHOCH uses aerospace at legislature

24 36:22 / 39:20 NewSpaceNM funded by HHOCH capital outlay (pork)

25 CITE

26 Jill Meyers and Aviation in New Mexico - Spaceport America Podcast, August 6, 2021. Internet
27 access 12/23/21, URL:

28 [https://podm8.com/episodes/spaceport-america-podcast/jill-meyers-and-aviation-in-new-mexico-
h0FyxBpDEU](https://podm8.com/episodes/spaceport-america-podcast/jill-meyers-and-aviation-in-new-mexico-
29 h0FyxBpDEU)

30

31 SECTION 7.) NEW DAY FOR NM (CHAS VIGIL, TREAS) DESCRIPTION OF

32 RESPONDENT'S CONDUCT

1 Campaign committee made expenditures not reasonably related to serve constituents, without
2 limitations on use, to a consultant:
3 who does express advocacy for an employer of the candidate; Sceye Inc., a foreign for- profit
4 corporation that provides professional services to the Economic Development Department- NM;
5 Sceye, Inc. (Business ID # 5531128; Business Purpose: Research and development) is a Foreign
6 Profit Corporation (Date of Authority in NM: October 10, 2017) that provides professional
7 services to the New Mexico Economic Development Department; and, Dayan Hocman Vigil is
8 General Council of Sceye, Inc., July 15, 2021.

9 Sceye, SA and Sceye Tech GmbH are located in Hunenberg, Zoug, Switzerland; and the
10 principal is Mikkel Vestergaard Frandsen.

11 Sceye Inc. securities are held by agents of foreign principals who are engaged in political
12 activities or other activities specified under statute and required to make periodic public
13 disclosure of their relationship with the foreign principal, as well as activities, under Foreign
14 Agents Registration Act (FARA) enacted in 1938.

15 LAWS ALLEGED TO BE VIOLATED

16 NMSA 10-16-3, 10-16-4, OFFICIAL ACTS; CONDUCT ACT

17 House Rule 26-1; ETHICS

18 EVIDENCE WITH EXHIBIT S

19 REFERENCE

20 July 15, 2021.

21 Dayan Hochman-Vigil, General Counsel.

22 Day is an aviation & space law attorney, specializing in transportation law issues, including
23 aviation and space regulatory law and litigation. She holds a Juris Doctorate degree from the
24 University of New Mexico and a Master In Laws degree from the McGill University Institute of
25 Air and Space Law. She has been licensed to practice law in Washington D.C. and New Mexico
26 for eight years and has experience in all levels of government, from local municipalities to the
27 United Nations. She also serves as a legislator in the New Mexico House of Representatives.

28 CITE

29 July 15, 2021, Dayan Hochman-Vigil, General Counsel, Sceye. Internet access 01/05/21, URL:
30 <https://www.aihitdata.com/company/02210860/sceye/history>

31 EVIDENCE WITH EXHIBIT T

1 GOALS

2 Both parties plan to collaborate on a five-year research effort anticipated to take place over 2021-
3 2025 aimed at demonstrating the potential utility of placing air monitoring equipment on airships
4 . . . Sceye airships are operational with the possibility of an air quality related payload to be
5 deployed approximately nine (9) months after the signature of an agreement.

6 New Mexico Economic Development Department SIGNED ALICIA J. KEYES Cabinet
7 Secretary 7/26/21

8 CITE

9 NMED / EPA Air Quality Study MOU | PDF | Internet access 12/31/21, URL:

10 <https://www.scribd.com/document/519942126/NMED-EPA-air-quality-study-MOU>

11 EVIDENCE WITH EXHIBIT U

12 REFERENCE

13 STEM Southwest Podcast 065 Law-st in Space, with Day Hochman- Vigil

14 13:55 Hochman- Vigil

15 15:50 private law practice

16 16:50 McGill Montreal, Canada law masters degree

17 18:25 aviation, space practice, legislature

18 19:45 private practice, legislative agenda

19 20:50 Virgin Galactic

20 21:15 broadband infrastructure, Sceye

21 21:45 Spinlaunch

22 22:15 doesn't know science of Spinlaunch

23 22:30 broadband

24 25:10 Jill Meyers, Constituent Svces Dir

25 26:50 Brant Chapman, Assoc Attny

26 42:50 Informed Consent Act

27 43:25 broadband Cares Act money

28 CITE

29 065 Law-st in Space, with Day Hochman-Vigil. STEM Southwest Podcast, 02/11/21. Internet
30 access 12/22/21, URL:

1 <http://stemsw.com/065-law-st-in-space-with-day-hochman-vigil/>

2
3 SECTION 8.) NEW DAY FOR NM (CHAS VIGIL, TREAS) DESCRIPTION OF
4 RESPONDENT'S CONDUCT

5 Campaign committee made expenditures not reasonably related to serve constituents, without
6 limitations on use, to a consultant: who acts as intermediary; and, at the invitation of Virgin
7 Galactic, travels with the candidate to Spaceport America, an agency that influenced legislation
8 introduced by the candidate, with effect on Facilities Lease between Virgin Galactic, LLC, and
9 NM Spaceport Authority;

10 LAWS ALLEGED TO BE VIOLATED

11 NMSA 2-11-8.1, 10-16-3

12 House Rule 26-1A, 26-1C(1)

13 EVIDENCE WITH EXHIBIT V

14 Day and I met in the summer of 2018 while I was working on that new project here in
15 Albuquerque. She is an Aviation and Space Law attorney and private pilot and we hit it off right
16 away, mainly due to our shared passion for aviation and inspiring the next generation. Day and I
17 have something else in common, which is our willingness to spend an enormous amount of time
18 volunteering for a great cause. Day is currently serving her first term as the New Mexico State
19 House Representative for District 15, representing more than 25,000 residents of north
20 Albuquerque. It turns out that NM is the only state in the country that still has an all-volunteer
21 legislature, so Day fulfills this very important role in her "spare time".

22 Day asked me to help her out this summer and in June, I became her Constituent Services
23 Director. I never thought I would get involved in politics at all, but helping Day make New
24 Mexico the best possible place to live for her constituents and others across this fine state is more
25 rewarding than I can possibly describe. And we get to do awesome things together like visit
26 Virgin Galactic at Spaceport America in southern NM! We were invited there several months
27 ago by Jason Lazich, and had the chance to talk to their team about exciting things going on in
28 the aviation/aerospace industry in NM . . .

29 CITE

30 Reflecting on an Incredible Year. Jill Meyers, FRAeS, December 16, 2019. Internet access
31 12/22/21, URL:

1 <https://www.linkedin.com/pulse/reflecting-incredible-year-jill-meyers>

2 SECTION 9). NEW DAY FOR NM (CHAS VIGIL, TREAS) DESCRIPTION OF

3 RESPONDENT'S CONDUCT

4 Campaign committee made expenditures not reasonably related to serve constituents, without
5 limitations on use, to a consultant:

6 who accepted a Unity 22 Boarding Pass ticket and transportation from Virgin Galactic, a

7 restricted donor with exclusive rights under Letter Agreement with Spaceport Authority, to view

8 spaceflights from Spaceport America; and,

9 the candidate did travel to Spaceport America to view spaceflights by the restricted donor,

10 affected by an official act (HB68, 2021 Regular) of the candidate, under the Facilities Lease

11 between Virgin Galactic and Spaceport Authority;

12 LAWS ALLEGED TO BE VIOLATED

13 NMSA 10-16-4.1; Honoraria prohibited.

14 NMSA 10-16B-1 to -4; Gift Act

15 NMSA 10-16B-2B; gift

16 NMSA 10-16B-2 D; restricted donor

17 NMSA 10-16B-2E; state officer or employee

18 House Rules 26-1B(4) ETHICS

19 EVIDENCE WITH EXHIBIT W

20 Virgin Galactic Launch

21 VIP Guest to this Historic Event!

22 83 photos · 144 views

23 CITE

24 Virgin Galactic Launch, VIP Guest to this Historic Event! Jill Meyers, Flickr. Internet access

25 01/03/21, URL: <https://www.flickr.com/photos/jillmeyers25/albums/72157719535425831/>