



**MINUTES
of the
THREE-HUNDRED-NINETY-NINTH MEETING
of the
LEGISLATIVE COUNCIL**

**January 6, 2021
Video Conference Meeting**

The three-hundred-ninety-ninth meeting of the Legislative Council was called to order by Representative Brian Egolf, co-chair, at 1:33 p.m. on Wednesday, January 6, 2021, by video conference via an online platform.

Present

Rep. Brian Egolf, Co-Chair
Sen. Mary Kay Papen, Co-Chair
Sen. Craig W. Brandt
Rep. Daymon Ely
Rep. Candy Spence Ezzell
Rep. Doreen Y. Gallegos
Rep. Patricia A. Lundstrom
Rep. Rod Montoya
Sen. Clemente "Memé" Sanchez
Rep. Sheryl Williams Stapleton
Sen. Mimi Stewart
Rep. James G. Townsend
Sen. Peter Wirth

Absent

Sen. Pete Campos
Sen. Stuart Ingle

Special Advisory Members Present

Rep. Eliseo Lee Alcon
Rep. Deborah A. Armstrong
Rep. Gail Chasey
Rep. Kelly K. Fajardo
Sen. Roberto "Bobby" J. Gonzales
Sen. Ron Griggs
Rep. Dayan Hochman-Vigil
Sen. Daniel A. Ivey-Soto
Rep. Georgene Louis
Rep. Antonio Maestas
Sen. George K. Munoz
Sen. Steven P. Neville
Sen. Michael Padilla
Sen. Cliff R. Pirtle
Rep. Patricia Roybal Caballero

Special Advisory Members Absent

Rep. Phelps Anderson
Rep. Jason C. Harper
Rep. Jane E. Powdrell-Culbert

Sen. William E. Sharer
Sen. Benny Shendo, Jr.
Rep. Elizabeth "Liz" Thomson
Rep. Christine Trujillo

Guest Legislators and Members-Elect

Rep. Anthony Allison
Rep. Gail Armstrong
Rep. Brittney Barreras (Elect)
Rep. Rachel A. Black
Sen. William F. Burt
Rep. Ambrose Castellano (Elect)
Rep. Christine Chandler
Sen. Crystal R. Diamond (Elect)
Rep. Meredith A. Dixon (Elect)
Rep. Rebecca Dow
Sen. Katy M. Duhigg (Elect)
Rep. David M. Gallegos (Senator-Elect)
Rep. Harry Garcia
Rep. Joy Garratt
Sen. Carrie Hamblen (Elect)
Sen. Siah Correa Hemphill (Elect)
Rep. Joshua Hernandez (Elect)
Rep. Susan K. Herrera
Sen. Martin Hickey (Elect)
Sen. Leo Jaramillo (Elect)
Sen. Gay G. Kernan
Rep. Raymundo Lara
Sen. Linda M. Lopez
Rep. Stefani Lord (Elect)
Rep. Tara L. Lujan
Rep. Marian Matthews
Sen. Brenda G. McKenna (Elect)
Rep. Roger E. Montoya (Elect)
Rep. Kristina Ortez (Elect)
Rep. Randall T. Pettigrew (Elect)
Sen. Harold Pope (Elect)
Sen. Nancy Rodriguez
Rep. Tomás E. Salazar
Rep. Larry R. Scott
Sen. Antoinette Sedillo Lopez
Sen. Elizabeth "Liz" Stefanics
Sen. Jeff Steinborn

Rep. Candie G. Sweetser
Rep. Luis M. Terrazas (Elect)
Sen. Pat Woods

Staff

Raúl E. Burciaga, Director, Legislative Council Service (LCS)
Amy Chavez-Romero, Assistant Director for Drafting Services, LCS
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Erin Bond, Research Assistant, LCS
Nancy Martinez, Research Assistant, LCS
Sara Wiedmaier, Research Assistant, LCS

The speaker began by noting the breach of the United States Capitol, and he announced that the State Capitol had been evacuated by the New Mexico State Police because of the large crowd gathered outside.

2021 Session Discussion

Mr. Burciaga began by noting that no votes would be taken at the meeting. He explained that the State Capitol will remain closed for the remainder of the 2021 legislative session to everyone except legislators, staff and the media. Mr. Burciaga also noted that the legislature will not be entering into a contract with the City of Santa Fe to hold meetings at the Santa Fe Community Convention Center. He said that staff has been working closely with the Department of Health (DOH) on COVID-19 testing for those individuals who will be entering the State Capitol during the session, noting that the DOH recommends testing 100 percent of the population once per week in order to contain any kind of outbreak, which translates into testing 20 percent of staff and the media each weekday. Mr. Burciaga said that emergency medical technicians will also be on-site and may be available to help with testing. He said that while Legislative Building Services will regularly deep clean the building, an outside vendor has been contacted in case additional cleaning becomes necessary in the event of an outbreak. Mr. Burciaga noted that other session preparation measures include development of an online system for capital outlay and significant information technology upgrades.

Representative Ely discussed development of rules for the House of Representatives, explaining that four principles guided development of the rule changes: transparency, public participation, protection of the rights of members and the health and safety of staff and members. He also noted that the two biggest changes to the rules since the two special sessions in 2020 are that all committee meetings will be held via Zoom and that while members may appear in person on the House floor, they will still need to participate by using Zoom rather than the microphones in the chamber. Representative Ely also addressed some of the concerns laid out in a letter written by the House minority, explaining that members are not required to be in Santa Fe and that no limit on the number of pieces of legislation that members can introduce has been contemplated in any proposed rule changes.

Senator Wirth explained that a working group has been developing the Senate's approach to the session, which he noted will be modeled after the procedures used during the November 2020 special session. He indicated that floor sessions will be both in-person and fairly infrequent during January and February, while all committees will meet via Zoom. Senator Wirth noted that there will be no limit on the number of pieces of legislation that senators can introduce.

The speaker clarified that the House Appropriations and Finance Committee will meet in a hybrid in-person and Zoom format.

Members of the council discussed several other aspects regarding planning of the upcoming session, including:

- weekly testing is mandatory for staff, and while members cannot be required to be tested, they are strongly encouraged to do so;
- an application that interfaces with the voting system in the House chambers will allow members in that body to vote securely and remotely;
- concerns regarding the limit on the number of pieces of legislation that can be introduced by each House member;
- swearing in of new members will likely be remote, but the clerks may work with members to include photos and family members at a later date;
- members participating via Zoom will be clearly identified, and Zoom operators will be capable of renaming meeting participants;
- prioritization of bills in the Senate will be very much the same as it has been in the past;
- proposed rule changes will be only for the first session of the Fifty-Fifth Legislature;
- the potential availability of vaccines for prioritized individuals in Santa Fe;
- development and testing of a paperless capital outlay system;
- installation of plexiglass barriers throughout the State Capitol;
- the ability of residents in rural areas to offer public comment at standing committee meetings both through Zoom online and phone numbers generated by Zoom;
- the development of protocols for positive COVID-19 tests among staff;
- the process for expert witnesses on bills, both in committee and on the floor;
- the acceptance of test results performed by entities outside of the State Capitol;
- contact tracing and notification to staff and members in the event of positive tests; and
- members' option of calling in to Zoom meetings should their internet service go down.

Adjournment

There being no further business, the meeting adjourned at 3:35 p.m.