

HOUSE FLOOR SUBSTITUTE FOR  
HOUSE RESOLUTION 1

54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SPECIAL SESSION, 2020

A RESOLUTION

AMENDING THE HOUSE RULES FOR THE CONDUCT OF THE FIRST SPECIAL  
SESSION OF THE FIFTY-FOURTH LEGISLATURE TO ALLOW REMOTE  
PARTICIPATION OF MEMBERS AND PROVIDING PROCEDURES TO CONDUCT  
PROCEEDINGS OF THE HOUSE DURING THE CURRENT PUBLIC HEALTH  
EMERGENCY.

WHEREAS, House Rule 24-1 provides that the rules of the  
house of representatives may be amended by a two-thirds' vote  
of all the members of the house or by a majority vote of the  
members of the house upon the recommendation of the house rules  
and order of business committee;

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF  
REPRESENTATIVES OF THE STATE OF NEW MEXICO that the following  
new house rules, effective only for the first special session  
of the fifty-fourth legislature, be adopted to read:

.218027.1

underscored material = new  
[bracketed material] = delete

1 "4-1-1 The speaker shall ensure that all members, staff and  
2 employees who are physically present in the house,  
3 galleries, lobby, house committee rooms and rooms  
4 connected therewith follow proper social distancing  
5 by maintaining a distance of six feet from each  
6 other and shall ensure that appropriate personal  
7 protective equipment is made available."; and

8 "7-1-1 A member shall be considered to be present and in  
9 attendance for the purposes of establishing a  
10 quorum, doing business or voting if the member is  
11 physically present or participating by simultaneous,  
12 remote, electronic or telephonic means from within  
13 the capitol as confirmed by the speaker, or chair in  
14 the case of a standing committee."; and

15 "7-4-2 Completion of a call of the house shall be verified  
16 by the chief clerk via a roll call vote."; and

17 "7-8-1 A member who is not physically present on the floor  
18 but is within the capitol during a session and  
19 wishes to be recognized shall contact that member's  
20 respective floor leader, whip or caucus chair, who  
21 shall then request the speaker to add that member's  
22 name to the list of members desiring to be  
23 recognized or to use an electronic system operated  
24 by the chief clerk."; and

25 "7-13-1 A member who is present and is called to order is

1 not permitted to resume speaking until the speaker  
 2 has determined whether the member is in order; and  
 3 if decided to be out of order, the member shall not  
 4 proceed without the permission of the house."; and

5 "11-9-2 Electronic signatures may be used by sponsors to  
 6 sign bills, resolutions or memorials and  
 7 amendments."; and

8 "11-21-2 Committee reports on a bill, resolution or memorial  
 9 may be digitally signed and electronically  
 10 transmitted from the committee to the chief clerk.";  
 11 and

12 "23-3-1 Accommodations for the press will be made in  
 13 accordance with public health guidelines as outlined  
 14 by the legislative council service."; and

15 BE IT FURTHER RESOLVED that the following house rules,  
 16 effective only for the first special session of the fifty-  
 17 fourth legislature, be amended to read:

18 "6-1 The sergeant-at-arms or his designee, except when  
 19 absent in the discharge of his duties, shall be in  
 20 [~~constant~~] attendance upon the sessions of house and  
 21 enforce order on the floor of the house and in the  
 22 lobbies, galleries and passages and rooms connected  
 23 therewith and see that no person remains on the  
 24 floor of the house unless entitled to privileges  
 25 thereof."; and

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1 "7-1 Every member of the house shall [~~be present on the~~  
2 ~~floor of the house~~] maintain his or her presence in  
3 the house chamber, either physically or by  
4 simultaneous, remote, electronic or telephonic means  
5 from within the capitol, during each session, unless  
6 prevented by sickness or excused by the speaker in  
7 writing. The excuse shall be filed with the chief  
8 clerk."; and

9 "7-2 A quorum of the house is a majority of the members  
10 elected, [~~and~~] qualified [~~thereof~~] and present.  
11 When a lesser number than a quorum of the house  
12 convenes at any authorized session, those present  
13 may send the sergeant-at-arms for the absent members  
14 and may compel their attendance. During any session  
15 of the house, the members present may take such  
16 action as they deem necessary to secure the presence  
17 of the absentees and, in addition to suspension for  
18 a certain period, may inflict censure or penalty as  
19 they think just on those who do not send a  
20 sufficient excuse for their absence."; and

21 "7-3 If at any time during the session of the house a  
22 question is raised by any member as to the presence  
23 of a quorum, the speaker shall forthwith direct a  
24 roll call and shall announce the result, and such  
25 proceedings shall not be interrupted by any other

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1 member raising the question of a lack of quorum.  
 2 The question as to the presence of a quorum shall  
 3 not be raised more often than once every hour,  
 4 unless the lack of a quorum is disclosed upon a roll  
 5 call of yeas and nays. Whenever, upon a roll call,  
 6 any member who is [~~upon the floor of the house~~]  
 7 present refuses to respond or vote, it is the duty  
 8 of the speaker, either upon his own motion or upon  
 9 the suggestion of any member, to request that member  
 10 to respond or vote. If the member fails to respond  
 11 or vote when so requested, the fact of such request  
 12 and refusal shall be entered in the journal and such  
 13 member shall not be counted as present for the  
 14 purpose of constituting a quorum."; and

15 "7-13 When a member is called to order, he shall [~~take his~~  
 16 ~~seat~~] refrain from speaking until the speaker has  
 17 determined whether he is in order or not; and if  
 18 decided to be out of order, he shall not proceed  
 19 without the permission of the house. Every question  
 20 of order shall be decided by the speaker, subject to  
 21 an appeal to the house. No second appeal shall be  
 22 determined until the original appeal has been  
 23 decided. If a member is called to order for words  
 24 spoken, the words excepted to shall be immediately  
 25 taken down in writing."; and

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1 "9-5-6 All deliberations, hearings, decisions and other  
2 official business of committees shall be conducted  
3 in meetings open to the public, provided that public  
4 participation shall be limited to webcasts of  
5 committee meetings and public testimony submitted to  
6 a committee electronically at the discretion of the  
7 chair, except for deliberations and hearings  
8 relating to allegations of unethical conduct brought  
9 before the house rules and order of business  
10 committee or subcommittee, unless a public hearing  
11 is requested by the representative against whom the  
12 allegation is made."; and

13 BE IT FURTHER RESOLVED that House Rules 7-14, 11-20-1,  
14 Subsection (b) of House Rule 23-2 and House Rules 23-3 through  
15 23-4-1 be suspended, effective only for the first special  
16 session of the fifty-fourth legislature.