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HOUSE RESOLUTION

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

INTRODUCED BY

DISCUSSION DRAFT

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:

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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 and shall ensure that they are provided with
6 appropriate personal protective equipment."; and

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

14 "7-4-2 Completion of a call of the house shall be verified
15 by the chief clerk via a roll call vote."; and

16 "7-8-1 A member who is not physically present during a
17 session and wishes to be recognized shall contact
18 that member's respective floor leader, whip or
19 caucus chair, who shall then request the speaker to
20 add that member's name to the list of members
21 desiring to be recognized or to use an electronic
22 system operated by the chief clerk."; and

23 "7-13-1 A member who is present and is called to order is
24 not permitted to resume speaking until the speaker
25 has determined whether the member is in order; and

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[bracketed material] = delete

1 if decided to be out of order, the member shall not
2 proceed without the permission of the house."; and

3 "11-9-2 Electronic signatures may be used by sponsors to
4 sign bills, resolutions or memorials and
5 amendments."; and

6 "11-21-2 Committee reports on a bill, resolution or memorial
7 may be digitally signed and electronically
8 transmitted from the committee to the chief clerk."; and
9

10 "23-3-1 Accommodations for the press will be made in
11 accordance with public health guidelines as outlined
12 by the legislative council service."; and

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

16 "6-1 The sergeant-at-arms or his designee, except when
17 absent in the discharge of his duties, shall be in
18 [~~constant~~] attendance upon the sessions of house and
19 enforce order on the floor of the house and in the
20 lobbies, galleries and passages and rooms connected
21 therewith and see that no person remains on the
22 floor of the house unless entitled to privileges
23 thereof."; and

24 "7-1 Every member of the house shall [~~be present on the~~
25 ~~floor of the house~~] maintain his or her presence in

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1 the house chamber, either physically or by
2 simultaneous, remote, electronic or telephonic
3 means, during each session, unless prevented by
4 sickness or excused by the speaker in writing. The
5 excuse shall be filed with the chief clerk."; and

6 "7-2 A quorum of the house is a majority of the members
7 elected, ~~[and]~~ qualified ~~[thereof]~~ and present.
8 When a lesser number than a quorum of the house
9 convenes at any authorized session, those present
10 may send the sergeant-at-arms for the absent members
11 and may compel their attendance. During any session
12 of the house, the members present may take such
13 action as they deem necessary to secure the presence
14 of the absentees and, in addition to suspension for
15 a certain period, may inflict censure or penalty as
16 they think just on those who do not send a
17 sufficient excuse for their absence."; and

18 "7-3 If at any time during the session of the house a
19 question is raised by any member as to the presence
20 of a quorum, the speaker shall forthwith direct a
21 roll call and shall announce the result, and such
22 proceedings shall not be interrupted by any other
23 member raising the question of a lack of quorum.
24 The question as to the presence of a quorum shall
25 not be raised more often than once every hour,

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[bracketed material] = delete

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

12 "7-13 When a member is called to order, he shall [~~take his~~
13 ~~seat~~] refrain from speaking until the speaker has
14 determined whether he is in order or not; and if
15 decided to be out of order, he shall not proceed
16 without the permission of the house. Every question
17 of order shall be decided by the speaker, subject to
18 an appeal to the house. No second appeal shall be
19 determined until the original appeal has been
20 decided. If a member is called to order for words
21 spoken, the words excepted to shall be immediately
22 taken down in writing."; and

23 "9-5-6 All deliberations, hearings, decisions and other
24 official business of committees shall be conducted
25 in meetings open to the public, provided that public

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

10 BE IT FURTHER RESOLVED that House Rules 7-14, 11-20-1,
11 Subsection (b) of House Rule 23-2 and House Rules 23-3 through
12 23-4-1 be suspended, effective only for the first special
13 session of the fifty-fourth legislature.