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HOUSE RESOLUTION 1

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

INTRODUCED BY

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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:

"4-1-1 The speaker shall ensure that all members, staff and employees who are physically present in the house, galleries, lobby, house committee rooms and rooms connected therewith follow proper social distancing and shall ensure that they are provided with appropriate personal protective equipment."; and

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

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

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

"7-13-1 A member who is present and is called to order is not permitted to resume speaking until the speaker has determined whether the member is in order; and if decided to be out of order, the member shall not proceed without the permission of the house."; and

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

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

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

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

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

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

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

"7-3 If at any time during the session of the house a question is raised by any member as to the presence of a quorum, the speaker shall forthwith direct a roll call and shall announce the result, and such proceedings shall not be interrupted by any other member raising the question of a lack of quorum. The question as to the presence of a quorum shall not be raised more often than once every hour, unless the lack of a quorum is disclosed upon a roll call of yeas and nays. Whenever, upon a roll call, any member who is ~~upon the floor of the house~~ present refuses to respond or vote, it is the duty of the speaker, either upon his own motion or upon the suggestion of any member, to request that member to respond or vote. If the member fails to respond or vote when so requested, the fact of such request and refusal shall be entered in the journal and such member shall not be counted as present for the purpose of constituting a quorum."; and

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

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

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

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