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HOUSE RESOLUTION 1  
**54TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SPECIAL SESSION, 2020**

INTRODUCED BY  
Daymon Ely

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