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SENATE BILL 401

**49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009**

INTRODUCED BY  
Mark Boitano

AN ACT

RELATING TO THE LEGISLATURE; PROVIDING FOR LIVE AUDIO AND VIDEO  
STREAMING OF LEGISLATIVE PROCEEDINGS; DECLARING AN EMERGENCY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of Chapter 2, Article 3 NMSA  
1978 is enacted to read:

"[NEW MATERIAL] AUDIO AND VIDEO STREAMING OF LEGISLATIVE  
PROCEEDINGS.--

A. The legislative council service shall ensure  
that a live audio and video stream of any senate floor  
proceeding is available on the internet from a link on the  
legislature's web site subject to the following:

(1) the live stream shall begin as soon as  
practicable after the presiding officer has announced that a  
quorum is present and shall terminate as soon as practicable

underscored material = new  
[bracketed material] = delete

1 after a motion to recess or adjourn has carried, or upon the  
2 order of the presiding officer;

3 (2) during the prayer, reading of the journal,  
4 introduction of legislation, reports of committees,  
5 introduction of guests, messages from the governor, the house  
6 of representatives or other state officer and announcements and  
7 miscellaneous business, the live video image shall be of the  
8 entire chamber or the rostrum from the perspective of the rear  
9 of the chamber, except as provided in Paragraph (4) of this  
10 subsection;

11 (3) during the third reading of legislation,  
12 the live video image shall be of the legislator who has been  
13 recognized and is speaking, except when, in the judgment of the  
14 legislative council service, a legislator will be speaking for  
15 such a short period of time that the live video image should  
16 instead be of the legislator who previously spoke or of the  
17 entire chamber from the perspective of the rear of the chamber;

18 (4) during any order of business when, in the  
19 judgment of the legislative council service, the debate is  
20 substantial, the live video image shall be as if the senate  
21 were on the third reading of legislation;

22 (5) at no time shall the live video image be  
23 of the gallery; and

24 (6) the provisions of this rule shall apply  
25 when the senate is meeting in a committee of the whole and when

underscoring material = new  
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1 any senate committee is meeting on the floor of the senate as  
2 if the senate were on the third reading of legislation;  
3 provided that the live video image shall be of any witness  
4 addressing the committee as appropriate.

5 B. The director of the legislative council service  
6 and the chief clerk of the senate shall cooperate to ensure  
7 that the live audio and video stream is provided from the  
8 appropriation made annually for the expenses of the  
9 legislature, including appropriations in Laws 2009, Chapter 1."

10 Section 2. TEMPORARY PROVISION--IMPLEMENTATION.--The first  
11 live audio and video stream shall be available within one week  
12 of the effective date of this act.

13 Section 3. EMERGENCY.--It is necessary for the public  
14 peace, health and safety that this act take effect immediately.