

1 A RESOLUTION

2 AMENDING THE HOUSE RULES TO ALLOW FOR THE CONDUCT OF THE
3 SECOND SPECIAL SESSION AND SECOND REGULAR SESSION OF THE
4 FIFTY-FIFTH LEGISLATURE AND ONGOING OPERATIONS OF THE HOUSE
5 OF REPRESENTATIVES.

6
7 WHEREAS, since March 2020, coronavirus disease 2019 and
8 its associated variants have continued to spread, with more
9 than three hundred six thousand documented cases and more
10 than five thousand two hundred deaths attributed to the
11 coronavirus disease 2019 pandemic in New Mexico through
12 November 2021; and

13 WHEREAS, in late November 2021, the latest variant,
14 omicron, was designated a "variant of concern" by the world
15 health organization, in part because its combination of
16 mutations could allow for faster spread; and

17 WHEREAS, those who come into close contact with an
18 individual testing positive for coronavirus disease 2019 may
19 be required to quarantine for up to fourteen days, which
20 could constitute a significant portion of the second special
21 and second regular sessions of the fifty-fifth legislature;
22 and

23 WHEREAS, Article 4, Section 11 of the constitution of
24 New Mexico provides that each house may determine the rules
25 of its procedures; and

1 WHEREAS, allowing for the functional presence and full
2 participation of some members by simultaneous remote
3 electronic means during a public health crisis such as the
4 current coronavirus disease 2019 pandemic will help limit the
5 risks to public health and safety inherent in the gathering
6 of a large number of people from across the state in the
7 state capitol; and

8 WHEREAS, the house of representatives recognizes that
9 the following rules may only be used during declared public
10 health emergencies when health and safety require that
11 extraordinary measures be employed to prevent the spread of
12 disease; and

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

18 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
19 REPRESENTATIVES OF THE STATE OF NEW MEXICO that a new House
20 Rule 7-4-3, effective immediately upon adoption, but only for
21 the December 2021 special session, be adopted to read:

22 "7-4-3 No call of the house shall be ordered on a bill
23 that districts or redistricts an elected office,
24 introduced during a special or extraordinary
25 session called in the calendar year in which the

1 state received the results of a federal decennial
2 census."; and

3 BE IT FURTHER RESOLVED that the following new house
4 rules, effective immediately upon adoption, only for the
5 second special and second regular sessions of the fifty-fifth
6 legislature, be adopted to read:

7 "4-1-1 The speaker shall ensure that all members, staff
8 and employees who are physically present in the
9 house, galleries, lobby, house committee rooms and
10 rooms connected therewith follow proper social
11 distancing requirements and wear face masks
12 covering the mouth and nose at all times, except
13 when in private offices."; and

14 "23-8-2 If at any time during standing committee hearings
15 or floor sessions, the live audio and video stream
16 of those sessions ceases to function, upon notice
17 of the outage, the presiding officer shall
18 immediately recess, subject to the call of the
19 presiding officer, until the stream is able to
20 resume."; and

21 BE IT FURTHER RESOLVED that the following house rules,
22 effective immediately upon adoption, only for the second
23 special and second regular sessions of the fifty-fifth
24 legislature, be amended to read:

25 "7-1 Every member of the house shall be present on the

1 floor of the house, unless prevented by sickness or
2 excused by the speaker in writing. The excuse
3 shall be filed with the chief clerk. A member who
4 has tested positive for coronavirus disease 2019 in
5 the past fourteen days, or is under a mandatory
6 quarantine or self-isolation order, may also be
7 permitted, subject to available technology, to
8 maintain his or her presence in the house chamber
9 and committees by simultaneous remote, electronic
10 or telephonic means. Remote participation for a
11 coronavirus disease 2019 diagnosis shall be subject
12 to approval by the speaker."; and

13 "7-3

14 If at any time during the session of the house a
15 question is raised by any member as to the presence
16 of a quorum, the speaker shall forthwith direct a
17 roll call and shall announce the result, and such
18 proceedings shall not be interrupted by any other
19 member raising the question of a lack of quorum.
20 The question as to the presence of a quorum shall
21 not be raised more often than once every hour,
22 unless the lack of a quorum is disclosed upon a
23 roll call of yeas and nays. Whenever, upon a roll
24 call, any member who is present refuses to respond
25 or vote, it is the duty of the speaker, either upon
the speaker's own motion or upon the suggestion of

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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

"9-7

If the chair is absent or not physically present at
any meeting, the second member named in such
committee shall act as chair at the meeting.".