

SENATE RULES COMMITTEE SUBSTITUTE FOR
SENATE RESOLUTION 1

55TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2022

A RESOLUTION

AMENDING THE SENATE RULES FOR ANY SESSION OF THE FIFTY-FIFTH
LEGISLATURE HELD IN 2022.

WHEREAS, Senate Rule 24-1 provides that the rules of the
senate may be amended by a two-thirds' majority vote of the
members of the senate or by a majority vote of the members of
the senate upon the recommendation of the senate rules
committee;

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE STATE
OF NEW MEXICO that the following new senate rules, for any
session of the fifty-fifth legislature held in 2022, be adopted
to read:

"2-4 Each senator may permit staff responsible to that
senator to perform assigned duties from within the
capitol or from a remote location; provided that a

staff member required to isolate in accordance with federal centers for disease control and prevention guidelines shall follow those guidelines."; and

"4-1-1 If the federal centers for disease control and prevention recommends masking in public places, the presiding officer shall ensure that all members, staff, employees and guests who are physically present in the senate chambers wear a mask that covers the mouth and nose, pursuant to the recommendations of the federal centers for disease control and prevention, and not consume food in the senate chambers."; and

"6-1-1 If the federal centers for disease control and prevention recommends masking in public places, the sergeant-at-arms shall ensure that all members, staff, employees and guests who are physically present in the senate gallery, senate committee rooms and the senate hallways wear a mask that covers the mouth and nose, pursuant to the recommendations of the federal centers for disease control and prevention, and not consume food in those areas."; and

"7-1-1 A senator shall be considered to be present and in attendance for the purposes of establishing a quorum, doing business, satisfying a call or voting

1 during a floor session if the member is physically
2 present or participating by simultaneous, remote
3 electronic means, from within the capitol, as
4 verified by the sergeant-at-arms. If a call is
5 satisfied, members within the capitol shall
6 participate during the debate from the floor or the
7 member's capitol office and vote on the issue that
8 is the subject of the call."; and

9 "7-1-2 A senator shall be considered to be present and in
10 attendance for the purposes of establishing a
11 quorum, doing business or voting during standing
12 committee meetings if the member is physically
13 present or participating by simultaneous, remote
14 electronic means and is visually present, or if
15 participating by telephone, is confirmed to be
16 present by voice, as confirmed by the committee
17 chair, from within the capitol."; and

18 "7-1-3 A senator who is required to isolate or quarantine
19 as provided by the guidance of the federal centers
20 for disease control and prevention may continue to
21 participate via simultaneous, remote electronic
22 means from outside the capitol. A senator with a
23 medical condition that classifies the senator as
24 having high risk for mortality from severe acute
25 respiratory syndrome coronavirus 2, as defined by

1 the federal centers for disease control and
2 prevention, may participate via simultaneous, remote
3 electronic means from outside the capitol upon
4 providing to the senator's respective floor leader
5 or the president pro tempore documentation from a
6 physician, nurse practitioner or other advanced
7 practice medical professional licensed in New Mexico
8 verifying the underlying condition. In the event of
9 a call of the senate, members participating remotely
10 from outside the capitol who have not been excused
11 or necessarily prevented from being present shall be
12 considered present for the purposes of the call. If
13 a call is satisfied, members participating remotely
14 who are considered present shall participate during
15 the debate and vote on the issue that is the subject
16 of the call."; and

17 "7-19 Members of the senate, staff, employees and guests
18 shall wear face masks or respirators, as recommended
19 by the federal centers for disease control and
20 prevention, covering the mouth and nose when
21 physically present in the senate chamber, galleries,
22 lobby, senate committee rooms and rooms connected
23 therewith. Failure to do so shall constitute a
24 violation of these rules, and violators are subject
25 to disciplinary action and removal from the chamber

1 or committee room. A senator who is not compliant
2 with this rule in the senate chamber or committee
3 room may participate remotely from the member's
4 office."; and

5 "7-20 Legislators participating via simultaneous, remote
6 electronic means on the senate floor in any senate
7 standing committee shall be visually present. A
8 legislator who is not visually present when called
9 upon shall be listed as absent, unless excused. No
10 legislator shall be logged in to a senate committee
11 while simultaneously logged in or present in any
12 other legislative committee meeting or floor
13 session, nor shall a senator be simultaneously
14 logged in to be present on the senate floor and in a
15 senate committee."; and

16 "9-5-9 Meetings shall be staffed by one or more hosts to
17 facilitate and allow participation by the committee
18 members, expert witnesses and the public. The
19 chair, in consultation with the ranking member, may
20 determine the duration of public comment allowed.
21 Each standing committee may also receive public
22 comment by email."; and

23 "22-3 Courtesy memorials and certificates shall not be
24 read aloud on the senate floor."; and

25 "23-14 The president pro tempore may set occupancy limits

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for any of the space occupied by senate committees and may reassign committee rooms and the senate floor as necessary to enable sufficient social distancing for members, staff and the public."; and

"24-3 In the event of a public health emergency while the senate is in session, the senate shall adhere to health guidelines as outlined by the federal centers for disease control and prevention and as maintained on the legislature's website for the senate when the senate is in session."; and

BE IT FURTHER RESOLVED that the following senate rules be amended to read:

"7-18 Members of the senate shall dress in business attire befitting the decorum of the senate and the wearing of bolo ties shall be permitted, regardless of whether the member is participating in person or via simultaneous, remote electronic means. All persons permitted access to the floor of the senate shall be held to the same standard."; and

"9-1-2 In appointing the standing committees, the committees' committee shall designate the ~~[chairman]~~ chair, vice ~~[chairman]~~ chair and the ranking member who shall be a member of the committee ~~[who is not a member of the chairman's political party]~~ and who does not hold a leadership position in either caucus

1 or the chamber. The ranking member of a standing
2 committee shall not be of the same political party
3 as the chair. In designating the chair, vice chair
4 or ranking member, the committees' committee shall
5 consider [each member's seniority in the senate and
6 length of continuous service on the committee and]
7 the preference of each member's respective leader.
8 No member designated to serve as the [~~chairman or~~
9 ~~vice chairman~~] chair of a standing committee shall
10 serve [~~in either position~~] as chair on any other
11 committee; provided that no vice chair of the senate
12 finance committee may be chair of another committee
13 or hold a leadership position in either caucus or
14 the chamber."

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