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HOUSE RESOLUTION 3

52ND LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2015

INTRODUCED BY

Nate Gentry

A RESOLUTION

AMENDING, ADOPTING AND REPEALING CERTAIN HOUSE RULES.

WHEREAS, House Rule 24-1 provides that the rules of the house may be amended by a two-thirds' vote of 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BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF NEW MEXICO that the following house rules be amended, adopted or repealed to read:

"1-4 Once elected, officers shall not be removed except by a two-thirds' vote of the [~~house~~] members present.";

"1-5 An officer of the house shall not solicit subscriptions or contributions for any purpose from

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1 any other officer or employee thereof nor from any
2 member; nor shall any person be permitted to solicit
3 or receive subscriptions or contributions for any
4 purpose on the floor or in the lobby of the house.";

5 "2-2 [~~The hiring and dismissal of employees shall be the~~
6 ~~responsibility of the committee on printing and~~
7 ~~supplies.]";~~

8 "2-3 No honorary page shall be appointed unless [~~he~~] the
9 honorary page is at least ten years of age and
10 unless the member sponsoring [~~such~~] the honorary
11 page makes arrangements with the chief clerk. [~~at~~
12 ~~least two calendar days prior to the day in which it~~
13 ~~is desired to have the honorary page serve in the~~
14 ~~house. No honorary page shall be appointed to serve~~
15 ~~two or more consecutive days, and no more than~~
16 ~~sixteen honorary pages shall be appointed to serve~~
17 ~~in one calendar day.]";~~

18 "4-1 The speaker shall preserve order and decorum in the
19 house, galleries, lobby and rooms connected
20 therewith. In the case of disturbance or disorderly
21 conduct in the galleries or lobby, [~~he~~] the speaker
22 may order them cleared or cause the removal of
23 disorderly persons.";

24 "5-1 At the close of any legislative session, all
25 committee [~~chairmen~~] chairs shall return to the

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1 chief clerk all bills, resolutions, memorials,
2 communications and petitions in their possession
3 [~~which~~] that have been referred to them and [~~which~~]
4 that have not been disposed of in their regular
5 order.";

6 "5-3 The chief clerk shall:

7 (a) attend every session and call the roll
8 when ordered to do so by the speaker;

9 (b) read or cause to be read all bills,
10 amendments, memorials, resolutions and papers
11 ordered to be read by the speaker;

12 (c) prepare and furnish each member with a
13 copy of the daily calendar [~~which~~] that shall
14 include all bills for third reading and other
15 matters to be considered by the house;

16 (d) see that all bills and other papers shall
17 be presented to the house in the order in which they
18 are reported or stand upon the calendar, unless
19 otherwise directed by the house;

20 (e) keep a correct journal of the proceedings
21 of the house, in which shall be recorded in full all
22 messages from the governor to the house or the
23 legislature during the present session, all titles
24 of bills, resolutions and memorials introduced or
25 submitted for the consideration of the house;

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1 (f) superintend all copying and work to be
2 done for the house;

3 (g) notify the house of the action by the
4 senate on all matters originating in the house and
5 requiring action on the part of the house;

6 (h) during the session, present to the
7 governor and enter upon the journal such bills and
8 other matters that originated in the house and were
9 passed by both houses and require the governor's
10 consideration; transmit all bills, joint resolutions
11 and joint memorials [~~which~~] that have been passed by
12 the house to the senate, but before doing so, the
13 chief clerk shall certify thereon the facts of their
14 passage and the date thereof and the votes by which
15 they passed;

16 (i) under the direction of the speaker, have
17 control and care during the session of all rooms,
18 passages and parts of the capitol set apart for the
19 use of the house of representatives;

20 (j) direct, assign and reassign all employees
21 of the house to their respective duties, except the
22 assistant sergeants-at-arms, and report to the house
23 all incompetent employees with [~~his~~] the clerk's
24 recommendation for removal, and such report shall be
25 acted upon forthwith;

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1 (k) by Friday of each week, [~~publish or~~
2 ~~mimeograph for distribution~~] distribute to each
3 member of the legislature and to the public, a
4 schedule for the succeeding week of all house
5 committee hearings, as reported by the committee
6 [~~chairmen~~] chairs, showing by number and short title
7 the bill to be heard, the committee [~~which~~] that
8 will conduct the hearing and the time, date and
9 place of hearing;

10 (l) prepare a list showing the status of
11 legislation either on the speaker's table or in
12 committee at the time of final adjournment, which
13 list shall be included in the journal [~~and deliver~~
14 ~~all such documents to the secretary of state to be~~
15 ~~filed by him as a permanent record~~]; and

16 (m) permit no papers or records belonging to
17 the house to be taken out of [~~his~~] the clerk's
18 custody other than by the regular course of
19 business.

20 (n) ***.";

21 "6-1 The sergeant-at-arms, except when absent in the
22 discharge of [~~his~~] the sergeant's duties, shall be
23 in constant attendance upon the sessions of house
24 and enforce order on the floor of the house and in
25 the lobbies, galleries and passages and rooms

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1 connected therewith and see that no person remains
2 on the floor of the house unless entitled to
3 privileges thereof.";

4 "6-2 The sergeant-at-arms shall execute the orders of the
5 speaker and of the house, together with all
6 processes issued by authority thereof, as directed
7 [to him] by the chief clerk or by the speaker.";

8 "6-6 [~~Whenever a message arrives from the governor or the~~
9 ~~senate, the sergeant-at-arms shall receive the~~
10 ~~message and announce its arrival to the speaker.]";~~

11 "7-3 If at any time during the session of the house a
12 question is raised by any member as to the presence
13 of a quorum, the speaker shall forthwith direct a
14 roll call and shall announce the result, and such
15 proceedings shall not be interrupted by any other
16 member raising the question of a lack of quorum.
17 The question as to the presence of a quorum shall
18 not be raised more often than once every hour,
19 unless the lack of a quorum is disclosed [~~upon a~~
20 ~~roll call of yeas and nays~~]. Whenever, upon a roll
21 call, any member who is upon the floor of the house
22 refuses to respond or vote, it is the duty of the
23 speaker, either upon [his] the speaker's own motion
24 or upon the suggestion of any member, to request
25 that member to respond or vote. If the member fails

1 to respond or vote when so requested, the fact of
2 such request and refusal shall be entered in the
3 journal and such member shall be counted as present
4 for the purpose of constituting a quorum.";

5 "7-5 Every member of the house shall vote on each
6 question or motion coming [~~up~~] before the house when
7 requested to do so by the speaker, unless excused by
8 a majority vote of those members present.";

9 "7-6 A member who desires to be excused from voting may,
10 after the roll call is requested but before the roll
11 call is commenced, make a brief statement, not
12 occupying more than three minutes, explaining [~~his~~]
13 the member's reasons for desiring to be excused.
14 The question of excusing [~~him~~] the member shall be
15 decided without debate.";

16 "7-7 No member upon a roll call vote shall be allowed to
17 explain [~~his~~] the member's vote during roll call;
18 however, at the conclusion of the roll call, a
19 member shall be allowed one minute to explain [~~his~~]
20 the member's vote.";

21 "7-8 A member rising to debate, to present a petition or
22 other paper, to give notice, to make a motion or to
23 report shall address the speaker and shall not
24 proceed further until recognized by [~~him~~] the
25 speaker.";

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1 "7-9 No member shall speak more than once in any one day
2 at the same stage of the [~~bill~~] proceedings, except
3 for explanation, without permission of the speaker
4 so long as any member who has not debated the matter
5 desires to speak.";

6 "7-10 No member shall be interrupted when speaking except
7 to raise a question of privilege, raise a point of
8 order requiring an immediate ruling, make a
9 parliamentary inquiry requiring an immediate reply,
10 call attention to disorderly conduct or to
11 disorderly words used in debate or raise a question
12 of "no quorum" as provided in House Rule 7-3; nor
13 shall any motion be in order until such member has
14 concluded, and no question shall be asked [~~him~~] any
15 member except those propounded through the speaker
16 and with the consent of the member.";

17 "7-13 When a member is called to order, [~~he shall take his~~
18 ~~seat~~] the member shall be seated until the speaker
19 has determined whether [~~he~~] the member is in order
20 or not; and if decided to be out of order, [~~he~~] the
21 member shall not proceed without the permission of
22 the house. Every question of order shall be decided
23 by the speaker, subject to an appeal to the house.
24 No second appeal shall be determined until the
25 original appeal has been decided. If a member is

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1 called to order for words spoken, the words excepted
2 to shall be immediately taken down in writing.";

3 "7-15 Upon an appeal from the decision of the speaker, the
4 question, which may be debated subject to the
5 limitation in House Rule 4-3, shall be put
6 substantially as follows: "Shall the decision of
7 the chair be sustained?", and if a majority of the
8 members present vote in the negative, the decision
9 shall be reversed.";

10 "7-17 No member of the house of representatives, or any
11 agent on [~~his~~] the member's behalf, shall knowingly
12 solicit a contribution for a political purpose for
13 that period beginning January 1 prior to any regular
14 session of the legislature and ending on the
15 twentieth day following the adjournment of the
16 regular session. For purposes of this rule,
17 "political purpose" means influencing or attempting
18 to influence an election, including a constitutional
19 amendment or other question submitted to the
20 voters.";

21 "8-1 The speaker shall take the chair each day at the
22 hour to which the house shall have adjourned and
23 shall call the house to order, after which [~~he~~] the
24 speaker shall direct the roll of the members to be
25 called, and if there be a quorum present, [~~he~~] the

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1 speaker shall call up the business of the day as
2 follows:

3 Order of Business

- 4 (1) prayer;
5 (2) pledge of allegiance;
6 (3) reading of the journal;
7 (4) introduction of legislation:
8 (a) bills;
9 (b) joint resolutions;
10 (c) resolutions;
11 (d) joint memorials; and
12 (e) memorials;
13 (5) reports of committees:
14 (a) standing; and
15 (b) special;
16 (6) third reading of legislation;
17 (7) business on speaker's table;
18 (8) reading of messages and petitions;
19 and
20 (9) announcements and miscellaneous
21 business.";

22 "8-3 A proposition requesting information from the
23 governor or any office of the state is in order at
24 any time, unless otherwise determined by a majority
25 of the members elected, and when adopted, the chief

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1 clerk shall cause the request to be forwarded
2 immediately to the governor or other state
3 officer.";

4 "8-6 The concurrence in senate amendments to house bills
5 shall be taken up and considered by the house under
6 that order of business, "reading of messages and
7 petitions". [~~Except during the sixtieth legislative~~
8 ~~day of an odd-year session and during the thirtieth~~
9 ~~legislative day of an even-year session]~~ The house
10 shall not consider or take any action for or against
11 such concurrence to senate amendments to house bills
12 until the amendments have been printed.";

13 "9-1-2 The speaker shall designate the [~~chairmen~~] chair,
14 vice chair and other officers when the committee is
15 appointed.";

16 "9-3 No member shall be appointed to more than two
17 substantive committees. No member appointed to the
18 appropriations and finance committee shall also be
19 appointed as [~~chairman~~] chair of any other
20 substantive committee. No member appointed [~~to the~~
21 ~~chairmanship or vice chairmanship]~~ as chair or vice
22 chair of any substantive committee shall also be
23 appointed as [~~chairman or vice chairman~~] chair or
24 vice chair of any other substantive committee. This
25 rule shall not be construed to prohibit temporary

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1 designations by a [~~chairman~~] chair of members of
2 [~~his~~] the chair's committee to preside in [~~his~~] the
3 chair's stead.";

4 "9-4 Once appointed, committee members shall not be
5 removed except by a two-thirds' vote of the [~~house~~]
6 members present.";

7 "9-5-3 When a voice vote is taken on any question in the
8 committee and such vote is uncertain, any committee
9 member may demand a roll call vote, and such roll
10 call shall be ordered by the [~~chairman~~] chair.";

11 "9-5-4 The [~~chairman~~] chair and each member of the
12 committee present, unless excused by a majority vote
13 of the committee, shall vote on all votes taken on
14 any question before the committee; provided,
15 however, on matters brought before the house rules
16 and order of business committee relating to ethical
17 conduct, a member may seek to [~~disqualify himself~~]
18 be disqualified on the grounds that the member
19 cannot render a fair and impartial decision on the
20 particular ethical questions brought before the
21 committee. In any such case, disqualification must
22 be approved by a majority vote of the remaining
23 members of the committee, and a substitute member
24 from the same political party shall be designated by
25 the speaker as a member during the deliberations on

1 that particular allegation of unethical conduct.";

2 "9-6 ~~[The speaker shall appoint a house coordinator from~~
3 ~~among the membership of the house. The coordinator~~
4 ~~shall be the agent of the speaker in reference to~~
5 ~~scheduling regular, special and joint committee~~
6 ~~meetings and workloads. The coordinator shall~~
7 ~~consult with and assist all committee chairmen in~~
8 ~~scheduling committee meetings.]";~~

9 "9-7 ~~[If the chairman is absent at any meeting, the~~
10 ~~second member named in such committee shall act as~~
11 ~~chairman at the meeting.]";~~

12 "9-10 The principal duties of the chair of a committee
13 are:

14 (a) to call the committee together at such
15 reasonable times and places as to enable the
16 committee to properly perform its functions. All
17 committee members will be notified of committee
18 meetings;

19 (b) to preside over meetings of the committee,
20 maintain order and decide all questions of order
21 subject to appeal to a majority of the appointed
22 committee and to ensure that the decorum of the
23 committee is preserved while maximizing the public's
24 ability to observe, report on and participate in a
25 meeting;

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1 (c) to supervise and direct the clerical and
2 other employees of the committee, helping with the
3 preparation of reports to submit to the committee
4 and to require the committee to keep a record of the
5 attendance of committee members at all committee
6 meetings and to file such attendance record with the
7 chief clerk on Friday of each week. Such record
8 shall be a public record;

9 (d) to have custody of all papers referred to
10 the committee and to transmit them to the chief
11 clerk when the committee [~~is through with them~~] has
12 concluded its work and endorse on each document what
13 action has been taken on it, if any;

14 (e) to see that bills are discussed in order
15 as they are referred to the committee, except when
16 another order of business is agreed upon by a
17 majority of the appointed committee;

18 (f) to arrange [~~in cooperation with the~~
19 ~~coordinator~~] for joint hearings with a similar
20 committee of the senate upon arrival of the
21 committee members and the proper senate committee;
22 and

23 (g) in the absence of the sponsor of a
24 measure, be prepared, or designate a committee
25 member to be prepared, to explain the bill to the

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1 house.";

2 "9-11 Committee [~~chairmen~~] chairs shall schedule each
3 house bill, house resolution or house memorial to be
4 heard in the committee in the order in which it is
5 referred to the committee unless the sponsor agrees
6 to a postponement to a day certain or unless
7 Rule 9-10(e) is invoked or the schedule of the
8 committee suggests that [~~bills~~] legislation
9 governing the same or similar subject matter should
10 be heard together, in which case the [~~chairman~~]
11 chair shall group the [~~bills~~] legislation for
12 hearing in that manner. The prime sponsor of a
13 house bill may demand in writing that [~~his~~] the
14 member's bill be heard for the first time prior to a
15 hearing and action on a bill referred to the
16 committee on a later date, and the committee shall
17 hear the bill if such demand is made. Rule 9-10(e)
18 or the provisions of this rule providing for
19 grouping of bills shall not preempt such demand.";

20 "9-13-2 With the exception of charges of contempt and
21 disorderly behavior [~~which~~] that take place in the
22 presence of the house, and therefore may be punished
23 summarily, any charge seeking the disciplining of a
24 house member shall be in writing, under oath or
25 affirmation, signed by a member of the house, and

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1 filed with the [~~chairman~~] chair of the house rules
2 and order of business committee. The complaint
3 shall state with reasonable particularity the
4 relevant facts upon which the charge is based.
5 Members of the public may also file a formal
6 complaint with the [~~chairman~~] chair of the house
7 rules and order of business committee or the speaker
8 of the house, who shall forward the complaint to the
9 [~~chairman~~] chair of the house rules and order of
10 business committee. The complaint shall be in
11 writing, under oath or affirmation and signed by the
12 complainant. The complaint shall state with
13 reasonable particularity the relevant facts upon
14 which the charge is based.

15 A representative against whom a complaint is filed
16 shall immediately be given a copy of the complaint.
17 In the alternative, the speaker, after consultation
18 with the majority and minority floor leaders, may
19 refer any matter [~~which~~] that might require
20 discipline to the attention of the [~~chairman~~] chair
21 of the house rules and order of business committee.
22 Notice of the referral shall be given to the member
23 who may be charged.";

24 "9-13-3 Upon receipt of a written charge, or a referral from
25 the speaker, the [~~chairman~~] chair shall notify the

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1 speaker and the majority and minority floor leaders,
2 who shall select from the rules and order of
3 business committee an equal number of members from
4 each party to serve as a subcommittee to investigate
5 the allegations contained in the charge or referral.
6 The [~~chairman~~] chair of the house rules and order of
7 business committee shall chair the subcommittee but
8 shall only vote in the case of a tie.";

9 "10-1 When the house resolves itself into a committee of
10 the whole, the speaker shall designate some member
11 as [~~chairman~~] chair thereof, and the clerk of the
12 house shall be the clerk of the committee of the
13 whole.";

14 "11-9 Every bill, resolution and memorial shall be
15 introduced by a member [~~in his place~~] or by a
16 committee, including an interim committee, or
17 message from the senate.";

18 "11-11 Each bill when prefiled or introduced shall be
19 accompanied by [~~two~~] five copies thereof.";

20 "11-12 Each bill when prefiled or introduced shall be sent
21 to the chief clerk to be taken up in the order in
22 which it was prefiled or introduced. All prefiled
23 bills shall be introduced in the order of their
24 assigned number [~~and prior to all other bills~~].";

25 "11-12-1 A member may prefile legislation by depositing it

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1 with the chief clerk during regular business hours
2 between December 15 and the Friday before a regular
3 session begins. The chief clerk shall number
4 prefiled legislation in the order in which it is
5 received; provided that the first prefiled bill
6 shall be numbered as House Bill 10 or a higher
7 number as the speaker of the house may determine,
8 reserving the initial bill numbers for the bill
9 authorizing current expenses of the legislature, the
10 general appropriation bill and such other bills as
11 the speaker determines is appropriate. Prefiled
12 legislation shall be publicly available. [~~Prefiled~~
13 ~~legislation shall be introduced and referred to~~
14 ~~committee on the first day of the regular~~
15 ~~session.]";~~

16 "11-14 At the time of second reading, or any time
17 thereafter, if the bill originated in the house, the
18 speaker should refer it to a standing committee; but
19 if it was received from the senate, the bill shall
20 be referred to the appropriate committee. No bill
21 or joint resolution shall be amended or referred to
22 a committee [~~except for the committee referrals made~~
23 ~~pursuant to prefiling]~~ until it has been read twice
24 by title.";

25 "11-18 When considering the report of a committee on a

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1 bill, resolution or memorial, a motion to commit or
2 recommit shall be in order, and any bill, resolution
3 or memorial may be again committed at any time
4 before its passage at the pleasure of the house.";

5 "11-18-1 No bill, resolution or memorial shall be [~~recalled~~
6 ~~after its reference to~~] discharged from a committee
7 except upon a majority vote of [~~all~~] the members
8 elected [~~to the house~~].";

9 "11-19-1 When considering the report of a committee on a
10 bill, resolution or memorial, the merits of the
11 bill, resolution or memorial may be debated, and a
12 motion to amend the report, lay it on the table or
13 postpone consideration of it to a future day is in
14 order.";

15 "11-20-1 When a bill, resolution or memorial is reported by a
16 committee recommending passage and if the report is
17 adopted by the house, all amendments offered by the
18 committee shall be deemed amendments to the bill,
19 resolution or memorial, and it shall be placed on
20 the speaker's table for one calendar day unless it
21 has been referred to a subsequent committee. Upon
22 the expiration of the one calendar day, the bill,
23 resolution or memorial shall be placed on the
24 calendar to be taken up on third reading in its
25 regular order; provided, however, that the automatic

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1 placing of each bill, resolution or memorial on the
2 speaker's table for one calendar day shall not apply
3 during the last eight [~~legislative~~] calendar days of
4 any session and shall not apply to the placing of
5 bills, resolutions and memorials on the consent
6 calendar.";

7 "11-20-4 If the committee report is unfavorable and the house
8 does not adopt the committee report, the bill,
9 resolution or memorial shall be placed on the
10 calendar, or if the bill, resolution or memorial has
11 received another committee referral, it shall be
12 referred to such other committee.";

13 "11-21 Every report of a committee upon a bill, resolution,
14 memorial or other document shall be in writing [~~with~~
15 ~~an original and two copies~~] and be entered upon the
16 journal of the house. The original report shall be
17 attached to the bill, resolution, memorial or other
18 document. Such report shall recite all amendments
19 made by the committee to the bill, resolution,
20 memorial or other document [~~and shall state whether~~
21 ~~or not it carries an appropriation or expenditure of~~
22 ~~public money~~] and shall recommend that it do or do
23 not pass as determined by the committee and be
24 signed by the [~~chairman~~] chair of the committee.";

25 "11-22-4 Every bill and joint resolution reported for passage

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1 by any committee, except the reports of the
2 committee of the whole house, which has been amended
3 in an extended or complex manner by the committee,
4 when ordered by the speaker, shall be reprinted [~~or~~
5 ~~mimeographed~~] as amended and the printed copies
6 placed on the desks of members before the third
7 reading shall be ordered.";

8 "11-23 Floor amendments shall be prepared for submission
9 with an original and [~~two~~] ninety copies. If time
10 does not allow submission in the required number,
11 then as soon as possible the chief clerk shall have
12 the amendment prepared in the required form, submit
13 the original amendment and [~~the typed~~] a copy to the
14 member submitting the amendment for [~~his approval~~
15 ~~and~~] the member's signature and attach it to the
16 bill or other document, in the place of the
17 amendment as submitted. The chief clerk shall keep
18 the amendment as submitted for the inspection of the
19 enrolling and engrossing committee.";

20 "11-24 If on taking the question of final passage a quorum
21 is not present or if a larger number of votes is
22 required than a majority and there is not that
23 number of members present, the [~~bill~~] legislation
24 shall retain its place on the calendar and be again
25 taken up for consideration.";

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1 "11-25 Immediately after the passage by the legislature of
2 any bill, resolution or memorial originating in the
3 house, or any substitute for legislation, which
4 substitute originated in the house, it shall be
5 enrolled and engrossed and read publicly in the
6 house and thereupon shall be signed by the speaker
7 and chief clerk in open session, and the fact of
8 such reading and signing shall be entered in the
9 journal. Every interlineation or erasure in a
10 signed bill shall be certified thereon in express
11 terms by the speaker of the house of
12 representatives, quoting the words interlined or
13 erased, and the fact of the making of any such
14 interlineation or erasure shall be publicly
15 announced in the house by the speaker and entered in
16 the journal.";

17 "11-26 ~~[No bill shall be introduced at any regular session~~
18 ~~of the legislature subsequent to the thirtieth~~
19 ~~legislative day, except the following:~~
20 ~~(1) the general appropriation bill;~~
21 ~~(2) bills to provide for the current expenses~~
22 ~~of the government; and~~
23 ~~(3) bills that have been referred to the~~
24 ~~legislature by the governor by special message~~
25 ~~specifically setting forth the emergency or~~

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1 ~~necessity requiring such legislation; provided,~~
2 ~~however, that the general appropriation bill shall~~
3 ~~be received before the fiftieth legislative day.]~~
4 Time limitation on the introduction of bills at any
5 session of the legislature shall be as established
6 by law.";

7 "13-2 Any motion may be withdrawn by the member making the
8 same at any time before [~~an amendment has been~~
9 ~~adopted or~~] a decision has been reached.";

10 "14-1 A motion to adjourn or recess, except for a fixed
11 time, shall be decided without debate or
12 amendment.";

13 "14-2 A motion to adjourn or [~~take a~~] recess shall always
14 be in order except when a member has the floor, when
15 a message from the governor or senate is being
16 received or when a motion or proposition has been
17 stated to be voted upon or during [~~the ratification~~
18 ~~of~~] a vote.";

19 "14-3 After a motion to adjourn or recess has been made
20 and declared lost, it shall not be repeated until
21 some business has intervened.";

22 "14-4 A motion to adjourn or recess when no time is fixed
23 shall mean an adjournment or recess to the next
24 calendar day at 10:00 a.m.";

25 "14-5 If a motion to adjourn or [~~to take~~] recess prevails,

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1 the measure under consideration at the time shall be
2 the pending question when the house again convenes
3 and shall be taken up at the point where it was at
4 the time of such adjournment or when recess was
5 taken.";

6 "18-1 If it is desired to close debate and bring the house
7 at once to vote on the pending question, the proper
8 course is to move for the previous question on the
9 motion upon which it is desired to close debate. A
10 two-thirds' vote of the members present is necessary
11 to adopt the motion for the previous question.";

12 "19-1 When a motion, other than a motion to adjourn or
13 recess, is made and carried, it shall be in order
14 for any member voting with the majority to move for
15 the reconsideration thereof on the same or the next
16 succeeding legislative day on which the house shall
17 be in session, and such motion shall take precedence
18 over all other questions except to adjourn or [~~to~~
19 ~~take a~~] recess. A motion for reconsideration being
20 put and lost shall not be renewed nor shall any
21 subject or vote be a second time reconsidered
22 without unanimous consent. When a bill, [~~or joint~~]
23 resolution or memorial is recalled from the governor
24 or senate, a motion to reconsider the vote by which
25 it was passed may be made when it is received or

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1 during the next legislative day thereafter the house
2 is in session.";

3 "20-5 After the house has adopted the motion to close
4 debate, no motion shall be in order but one motion
5 to adjourn or recess and a motion to recommit.";

6 "21-3 When the vote taken on any question by voice is
7 uncertain, any member may demand a roll call, but
8 such roll call shall not be entered upon the journal
9 except when demanded by one-fifth of the members [~~of~~
10 ~~the house~~] present.";

11 "23-2 Only persons who are members of the legislature or
12 officers and employees of the legislature having
13 official duties directly connected with the business
14 of the house shall be admitted to the floor and
15 rostrum [~~lounges and hallways~~]. Exceptions to this
16 rule shall be:

17 (a) the governor and representatives of [~~his~~]
18 the governor's office on official business and
19 carrying written accreditation from the governor;
20 and

21 (b) former members of the legislature,
22 provided they carry written accreditation of status
23 from the chief clerk, and special guests of the
24 house, and provided such former members and guests
25 are seated, with the speaker's consent, only on the

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1 speaker's rostrum.";

2 "23-3 The chief clerk shall, under the direction of the
3 speaker, provide suitable passes as credentials for
4 access to the various areas under the control of the
5 house. [~~Subject to the control of the speaker, the~~
6 ~~following may be admitted to the house:~~

7 (a) ~~press and television photographers not to~~
8 ~~exceed four; and~~

9 (b) ~~members of the daily writing press not to~~
10 ~~exceed four to be seated at the chief clerk's~~
11 ~~desk.]";~~

12 "23-6 No person engaged in presenting to the house or its
13 committees any business or claims for legislation
14 shall be permitted to engage in such business during
15 the session of the house or be permitted on the
16 floor of the house during its session. Any person
17 transgressing this rule shall be removed from the
18 floor during the remainder of the entire session.
19 The speaker is charged with the enforcement of this
20 rule, and in case [he] the speaker fails to enforce
21 same, it may be invoked and enforced by a majority
22 vote of the members present. This rule shall not be
23 suspended except by a two-thirds' vote of the
24 members present.";

25 "23-10 [~~Smoking in the chamber or in the gallery while the~~

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1 ~~house is in session shall be at the pleasure of the~~
2 ~~speaker.]";~~

3 "23-11 The hall of the house, clerk's office and committee
4 rooms shall be open every [~~legislative~~] day the
5 house is in session at 8:30 a.m. and remain open
6 until 5:30 p.m. with all employees except those
7 excused by the clerk in attendance and shall also be
8 open during all the hours the house is in session.";

9 "23-12 The speaker shall admit [~~duly accredited~~] news
10 reporters [~~of the public press, radio and television~~
11 ~~and assign them space in~~] to the house press rooms;
12 but the house by a majority vote may exclude any
13 news reporter [~~of the press, radio or television~~]
14 who abuses the privilege [~~granted him~~] and no
15 representative of [~~a newspaper, radio or television~~
16 ~~station~~] an organization shall be entitled to the
17 privileges of the house press rooms who is
18 especially or pecuniarily interested in pending or
19 contemplated legislation or who is employed for that
20 purpose or who receives compensation for influencing
21 legislation.";

22 "23-13 The [~~chairman~~] chair of the house rules and order of
23 business committee, at the direction of the speaker,
24 may enforce rules pertaining to all the space
25 occupied by the house, with the exception of the

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1 chambers.";

2 "24-1 These rules shall be in force from and after their
3 adoption by the house and may be suspended by a two-
4 thirds' vote of the members present when such
5 suspension is not inconsistent with constitutional
6 provisions.

7 These rules may be amended at any time upon
8 recommendation of the committee on rules and order
9 of business by a majority vote of the elected
10 members of the house and at all times upon a two-
11 thirds' vote of [~~all~~] the elected members of the
12 house. House rule changes shall not be in effect
13 until the following [~~legislative~~] calendar day
14 unless otherwise ordered by a two-thirds' vote of
15 the members present.

16 A motion to suspend the rules shall be made
17 separately, and the purpose thereof shall be stated
18 as a part of the motion, and no other matter shall
19 be included therein."; and

20 "26-1 A. Members of the house of representatives
21 shall conduct themselves in a manner that justifies
22 the confidence placed in them by the people. The
23 members shall not use their offices for private gain
24 and shall at all times maintain the integrity and
25 discharge ethically the high responsibilities of

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1 their legislative positions. Full disclosure of
2 real or potential conflicts of interest shall be a
3 guiding principle for determining appropriate
4 conduct of the members.

5 B. To avoid a potential conflict of interest:

6 (1) a member shall not accept anything
7 of value that improperly influences an official act,
8 decision or vote;

9 (2) a member shall attempt to ensure
10 that [~~his~~] the member's private employment does not
11 impair [~~his~~] the member's impartiality and
12 independence of judgment in the exercise of official
13 duties;

14 (3) a member shall not receive
15 compensation or reimbursement not authorized by law
16 for rendering services, advice or assistance as a
17 legislator;

18 (4) a member shall not accept gifts,
19 other than lawfully collected and reported campaign
20 contributions, from persons affected by legislation
21 or from persons who have an interest in a business
22 affected by proposed legislation, where it is known
23 or reasonably should be known that the purpose of
24 the donor in making the gift is to influence the
25 member in the performance of [~~his~~] the member's

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1 official duties or vote or is intended as a reward
2 for action on [~~his~~] the member's part; and

3 (5) a member shall not accept or engage
4 in employment if the member knows it is being
5 afforded [~~him~~] with the intent to influence [~~his~~]
6 the member's conduct in the performance of [~~his~~] the
7 member's official duties.

8 C. To avoid undue influence, a member shall
9 not:

10 (1) appear for, represent or assist
11 another person in any matter before a state agency,
12 unless without compensation and for the benefit of a
13 constituent, except for members who are attorneys or
14 other professional persons engaged in the conduct of
15 their professions, and, in these instances, the
16 member shall refrain from references to [~~his~~] the
17 member's legislative capacity, from communications
18 on legislative stationery and from threats or
19 implications relating to legislative actions; or

20 (2) represent or assist another person
21 in the sale of goods or services to the state or to
22 a state agency, unless the transaction occurs
23 pursuant to procedures set out in the Procurement
24 Code or by public notice and competitive bidding
25 where the Procurement Code does not apply.

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D. To avoid the abuse of office, a member shall not:

(1) obtain, or have a direct financial interest in, contracts with the state or with a state agency for goods or services not procured through the state procurement process, through a procurement procedure established by a state agency or after public notice and competitive bidding;

(2) grant to, or obtain a special privilege or exemption for ~~[himself]~~ the member or another person, which privilege or exemption is not readily available to members of the general community or class to which the beneficiary belongs; or

(3) use or disclose confidential information obtained by virtue of ~~[his]~~ the member's position for the benefit of ~~[himself]~~ the member or another."