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House GOP Leader Responses to Proposed House Rule Changes

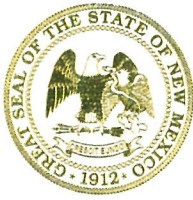
Santa Fe --- Today, House Republican Leader James G. Townsend (Artesia) sent a letter to House Speaker Brian Egolf expressing opposition to a number of possible changes to House Rules for the upcoming 60-day Legislative session. The letter is in response to comments made by Speaker Egolf at Monday's Legislative Council meeting in which he proposed limiting the number of bills legislators can introduce during the session starting in mid-January. Such a limitation is unprecedented and the letter outlines a number of reasons why such a change improperly restricts the ability of legislators to fully represent their constituents, as well as why it is an attack on minority party rights.

The letter also expresses concerns about the planned virtual session the Speaker is promoting for the 60-day session and the impact it could have in limiting public participation and possibly posing health risks to some legislators and staff. Finally, the letter points out that another House Rule change to force legislators into an online/virtual setting and eliminate the use of the House chamber's cameras and microphones during floor debate is only designed to prevent House Democrat members from looking bad for "not showing up" while most of the Senate and all Republican House members are present in their respective chambers.

The letter stated: "Proceeding in the manner in which you are proposing may well make it easier for you to implement your agenda, but it will be done at a great expense. At best, it could delegitimize our roles as legislators and at the very worst it could create a super spreader event in Santa Fe that places hundreds of people at serious risk." The letter goes on to point out that "these new House Rules will only inhibit the free exchange of ideas and debate that our body so heavily relies upon."

A copy of the letter to Speaker Egolf is attached.

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State of New Mexico
House of Representatives
Santa Fe

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The Honorable Brian Egolf
Speaker
New Mexico House of Representatives
State Capitol, Room 104
490 Old Santa Fe Trail
Santa Fe, New Mexico 87501

Dear Mr. Speaker:

In Monday's Legislative Council meeting, you announced that you are considering a possible House Rule change to limit the number of bills members may introduce in the upcoming session. Limiting members' ability to introduce bills is not only inconsistent with the principles of transparent law making, there are no constitutional provisions which permit establishing any limits, and it inappropriately restricts the ability of House members from fully representing their communities and constituents. While there is a constitutional provision related to imposing a time constraint on the introduction of bills, it is clear the framers had no desire to restrict how many bills legislators can offer.

This attack on minority party rights is made clear by your statement that majority party members will be allowed more than the pre-set limit of bills if they carry legislation for the governor or executive agencies, which completely negates the bill limitation you are trying to achieve. This proposed Rule change further erodes the Legislature's authority in setting the agenda for the 60-day session, while enhancing the Governor's influence over the Legislature's operation by giving her a greater say in what bills are introduced. This unconstitutional abdication of power to the executive branch is inexcusable.

We have been informed by the Chairman of the Rules Committee to also expect a Rule change which would force every member into an online/virtual setting and eliminate the use of the House chamber's cameras and microphones during floor debate. We assume this proposal is designed to prevent your members from looking bad for "not showing up" while most of the Senate and all Republican House members are present in their respective chambers.

Since the COVID-19 pandemic began, you have been slowly stripping away the Legislature's ability to function normally. By mandating virtual sessions, you have made it harder for the public to participate in the legislative process. These new House Rules will only inhibit the free exchange of ideas and debate that our body so heavily relies upon. Make no mistake, all of these changes will adversely alter both the fundamental nature of the Legislature and the legislative process.

You claim these steps are necessary to protect the health and safety of legislators, our staff and the public. If public safety is your concern, why are you and Senator Wirth so adamant about holding the entire 60-day session from January to March when the public health danger is so high, and which will require unprecedented changes to House Rules that threaten the very legitimacy of this institution?

We have obtained a copy of an analysis by Las Alamos National Laboratory (LANL) that projects the lowest risk to legislators, staff and the residents of Santa Fe is for the Legislature to convene for only two weeks at the Capitol. We assume both House and Senate Democrat leadership have seen this analysis. In light of the LANL analysis, as well as the eventual availability of COVID-19 vaccines, it is irresponsible to meet in January for the full 60-day session when legislators, staff, and the public could be vaccinated by the spring. Why should so many people be potentially exposed to the virus when those most vulnerable can be protected in the very near future without altering the public's ability to fully participate?

With all due respect, none of the actions you are contemplating make any sense. Jeopardizing the health of those participating in the session, dramatically changing the Legislature's ability to properly review and vet legislation, and restricting the role of the public is simply unnecessary.

Proceeding in the manner in which you are proposing may well make it easier for you to implement your agenda, but it will be done at great expense. At best, it could delegitimize our roles as legislators and at worst it could create a super spreader event in Santa Fe that places hundreds of people at serious risk.

If you are determined for the Legislature to convene for a 60-day session while at the same time limiting participation by the public, you should not also limit the ability of Republican House members to fully function on behalf of our constituents. We can follow the exact same virtual/in-person Rules that we adopted for both of the 2020 Special Sessions and that the Senate will be following in their chamber. Parity with the Senate and fairness within the House are not too much to expect, and it is an embarrassment that it even needs to be asked for.

In my December 7th letter to you, I accepted your stated invitation to participate in weekly bipartisan leadership meetings to improve cooperation within our chamber. I look forward to discussions on committee assignments and proposed Rule changes – preferably before all of these decisions are made. I eagerly await word from you as to when the first bipartisan leadership meeting will be held.

Sincerely,

A handwritten signature in black ink, appearing to read "James G. Townsend". The signature is fluid and cursive, written in a professional style.

James G. Townsend
Republican Leader