

Legislators prepare for session with Capitol off-limits to public

BY DAN BOYD / JOURNAL CAPITOL BUREAU CHIEF

Published: Wednesday, January 6th, 2021 at 4:13pm

Updated: Wednesday, January 6th, 2021 at 10:05pm



A sign on the outside of the New Mexico state Capitol informs visitors the building is closed to the public due to the ongoing COVID-19 pandemic. A 60-day legislative session will begin this month with lawmakers largely debating and voting on bills remotely. (Eddie Moore/Journal)

Copyright © 2021 Albuquerque Journal

SANTA FE – Plexiglass. Online voting on bills. And a face mask requirement for those present in the state Capitol.

New Mexico’s 60-day legislative session will begin this month as scheduled – but in virtual reality.

Due to the ongoing COVID-19 pandemic, the Roundhouse will once again be off-limits to members of the public and lobbyists for the entirety of the session that begins Jan. 19, the director of the Legislature’s administrative arm said Wednesday.

In addition, the unprecedented session will likely feature many lawmakers – at least in the House – participating remotely in committee hearings and floor debates from their homes or other off-site locations.

Both legislative chambers will have to adopt specific rules for the 60-day session once it gets underway, and top-ranking Democrats said a mask mandate for lawmakers present in the Capitol will be enforced more vigorously than it was during two special sessions last year.

“We are not going to be tolerant of noncompliance,” House Speaker Brian Egolf, D-Santa Fe, told a Wednesday meeting of the Legislative Council.

While some Republican lawmakers expressed concern about transparency issues, Egolf earlier this week insisted there will be “robust” opportunities for public participation via online platforms.

Rep. Antonio “Moe” Maestas, D-Albuquerque, predicted it would be the “most accessible session in the history of New Mexico,” saying residents of rural New Mexico could particularly benefit from not having to travel to Santa Fe to testify on hot-button bills.

But that sentiment was not shared by all lawmakers.

Top House Republicans said in a Wednesday letter that some proposed rule changes, including allowing lawmakers to debate and vote remotely, could violate the state Constitution and cast legal doubt over actions taken by the Legislature.

Rep. Candy Spence Ezzell, R-Roswell, said the 60-day session should be postponed until lawmakers could meet safely in person, saying she was “flabbergasted” that majority Democrats would forge ahead with the legislative session.

She also said she would not be tested for COVID-19 during the session. While legislative staffers will be required to undergo weekly testing, a top legislative official said lawmakers cannot be forced to do so.

“I have a right to say what goes in my body and I will not be tested,” Ezzell said. “If you don’t want to be around me, then don’t come close to me.”

‘It’s challenging’

No votes were ultimately taken during Wednesday’s meeting of the Legislative Council, a bipartisan group of top lawmakers, as the council previously authorized Legislative Council Service Director Raúl Burciaga to make decisions about the state Capitol for the coming session.

In addition to keeping the Roundhouse closed for the session for everyone except lawmakers, media members and some legislative staffers, Burciaga also said he notified Santa Fe city officials this week that the Legislature would not be entering a contract to use the Santa Fe Community Convention Center during the session.

The idea of using the 72,000-square-foot facility had previously been floated as a way to allow socially distanced public attendance during legislative committee hearings.

He also said the Legislature's administrative arm has made upgrades to its internal servers and worked with an outside vendor to try to avoid webcasting outages, as occurred during a June special session last year.

In addition, the Legislature can broadcast committee hearings and floor debates on a separate online platform – YouTube – in case the primary webcasting goes down.

“I still stay up at night wondering how we'll get it done – it's challenging,” said Burciaga, who nonetheless expressed optimism about the Legislature's ability to conduct a regular session remotely.

Quick action likely

Both the House and Senate will meet on the session's opening day – while separated by plexiglass – to debate the proposed rule changes, swear in new members and vote on several leadership positions.

Egolf said lawmakers could also move quickly to approve a pandemic relief package during the session's opening days.

After that, however, floor sessions will likely be few and far between until around mid-February, said both Egolf and Senate Majority Leader Peter Wirth, D-Santa Fe, giving time for legislative committees to meet remotely to debate and vote on introduced bills.

Along with pandemic-related measures, other issues expected to be debated include legalizing recreational cannabis for adults, repealing a long-dormant state abortion ban and the state's emergency powers laws.

Several lawmakers said Wednesday that a largely remote legislative session was the only way to avoid spreading coronavirus, which has killed more than 2,600 New Mexico residents.

“If we have a full floor, we’re going to have a COVID outbreak – it’s as simple as that,” said Rep. Daymon Ely, D-Corrales. “And people are probably going to die.”