

Continuity of Government Operations

House Rule to adopt during an emergency should there be a need to allow members to participate in the legislature while observing safety protocols that require social distancing using a designated alternate location, and/or remote participation through electronic means.

CONTINUITY OF HOUSE BUSINESS DURING AN EMERGENCY – Procedures.

If the Speaker of the House determines that convening the House, or any part thereof, is dangerous, unwise, or impractical, due to a public health emergency, epidemic, natural or human caused disaster, enemy attack, or other public catastrophe, the following may be invoked, for a fixed term, through a motion or House resolution, by a majority of House members. The term may be extended by adoption of a successive motion or House resolution, by a majority of House members. (HR 77)

All House rules in conflict with this Rule shall be suspended for the duration of the term stated in the adopted motion or House resolution. As far as practicable, all other House rules shall remain operative.

For purposes of this rule, the following terms mean:

Designated alternate location: a location, within the seat of government, that has been determined by the Speaker of the House to provide a secure means for members to participate in the legislative process in real time, whether floor sessions or committees. Such location shall: safeguard the integrity of the legislative process, maintain the deliberative character of House proceedings, provide for secure voting, ensure a member's ability to speak on measures, and provide a means for public observation of legislative proceedings.

Remote participation: simultaneous, interactive participation in the legislative process by members within the Capitol building, but not physically present in the chamber, designated alternate location or meeting room. Participation shall occur through secure technological means that: safeguard the integrity of the legislative process, provide for secure voting, maintain the deliberative character of House proceedings and ensure a member's ability to speak on measures.

1. A quorum of members for the purpose of convening the House or any part thereof, from day to day shall be inclusive of those members who are present in the chamber, recorded present at a designated alternate location, and recorded present through remote participation while logged into their state provided electronic device on their state provided account whose presence has been authenticated by the Chief Clerk. Authentication of attendance as part of the attest at the end of each daily journal
2. Remote participation shall include, members being permitted to vote remotely, debate, state a motion, second a motion, and address the House, using the secure method provided to them by legislative services. (HR 42)
3. House floor sessions and committee meetings may be held at a designated alternate location, within the seat of government, to provide for the health, safety and welfare of members, staff and the public (HR 37)
4. Convening of the House or any part thereof, day to day may be done through remote participation to provide for the health, safety and welfare of members, staff and the public.
5. Except as provided in House rule 80(3), each member shall vote on any question put while:
 - present in their seat in the chamber, or
 - in their seat at a designated alternate location, or

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- through remote participation while logged onto their state provided electronic device using their state provided voting account, or
- through such other means as adopted by the House.

All remote participation votes shall require visual confirmation of the members participation in the vote and shall be authenticated by the Chief Clerk prior to those votes being included in a final vote tally. **Add authentication to the attest of each daily journal where votes are taken** (HR 80-1-2) (HR 81)

6. All votes where there is remote participation shall be roll call votes. (HR's 79 & 80)
7. Committee meetings may include remote participation and participation from a designated alternate location if:
 - Each member of the committee can communicate in real time with each other through audio, and/or video means; and,
 - meeting materials can be presented to all committee members; and
 - there is a means to provide the public with an opportunity to provide testimony to the committee; and
 - the public is able to observe all proceedings of the committee, except during executive session as authorized by House Rules.

In the event there is a technical failure where members are unable to communicate in real time, or that prevents the public broadcast, the meeting shall halt – either through recess or adjournment until, all members present are able to resume communication, and the broadcast has been restored. (HR 26-1)

8. A member of a committee may vote on any measure before the committee while:
 - present in the committee room; or
 - in their seat at a designated alternate location; or
 - through remote participation while logged onto their state provided electronic device using their state provided voting account; or
 - through such other methods as adopted by the House or approved by Committee.

All votes where there is remote participation shall be roll call votes and shall be authenticated by the committee Chairman before being included in the final minutes. ****Add authentication to the end of each daily minutes where votes are taken**

9. The Speaker of the House may limit the number of members, staff, representatives of the news media and general public on the House floor, chamber, galleries, office spaces, committee rooms, adjoining and connecting hallways and passages, to protect the health, safety and welfare of all persons. (HR 63-2, 70 & 71)
10. The Speaker of the House may require members, staff, representatives of the news media, and the general public to observe health and safety protocols while in House spaces including: the House floor, lobby, chamber, galleries, office spaces, committee rooms, adjoining and connecting hallways and passages. (HR 63-2) **

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11. The Speaker of the House may close to the public, the House floor, chamber, lobby, galleries, office spaces, galleries, committee rooms adjoining and connecting hallways and passages to protect the health, safety and welfare of all persons. Upon closure of the public gallery, there shall be alternate methods of viewing floor proceedings for representatives of the news media and the public. (HR 63-2 70, 71 and 72)
12. Broadcasting and recording of House floor proceedings by the authorized designee shall continue, through means available to the legislature at the time of the invocation of this rule and in compliance with Article 3, Sec 12 of the Idaho Constitution. If the House gallery is closed and the ability to broadcast fails, the House shall halt its proceedings, by recessing or adjourning, until such time as the broadcast has been restored. (HR 72)
13. During a Call of the House, a member who is in their seat at a designated alternate location or recorded present through remote participation shall be considered present and within the Chamber. (HR 18)
14. Any member participating in House floor proceedings whether present in the chamber, participating remotely, or at a designated alternate location, may, in the fifth or seventh order, call for bills, memorials or resolutions according to Rule 17. A request to grant the committee further time may be made by a member present in the chamber, participating remotely, or at a designated alternate location; all other provisions of Rule 17 shall remain in place as stated. (HR 17)

****need to decide whose guidelines – if this is added to this rule.**