

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

SENATE
RESOLUTION 1

By: Dahm

AS INTRODUCED

A Resolution to change Senate Rules for the 59th Legislature to allow for public comment at committee and subcommittee hearings; and directing distribution.

WHEREAS, the Senate Rules for the 59th Legislature were adopted on December 12, 2022; and

WHEREAS, the author proposes changes to the adopted Senate Rules to allow for public comment at committee and subcommittee hearings.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE 1ST SESSION OF THE 59TH OKLAHOMA LEGISLATURE:

THAT the Senate adopt the proposed rules herein.

THAT a copy of this resolution be distributed to all members of the Senate.

1 RULE 7: COMMITTEES AND COMMITTEE PROCEDURE

2 RULE 7-1. TYPES AND NUMBER. There shall be two types of Senate
3 committees established by the President Pro Tempore: standing
4 committees and select committees. The President Pro Tempore shall
5 appoint the Chair and Vice-Chair of each standing committee and of
6 each select committee.

7 The President Pro Tempore may establish, and appoint the members
8 of, as many ad hoc subcommittees of each standing committee as the
9 President Pro Tempore deems appropriate. There shall be as many
10 select committees as are created by the President Pro Tempore.

11 RULE 7-2. MEMBERSHIP. Membership on standing committees and on
12 select committees shall be subject to the following:

13 1. The President Pro Tempore shall appoint, subject to the
14 approval of the Senate, the Majority Caucus members and the Chair
15 and Vice-Chair of each standing committee.

16 2. The Minority Floor Leader shall appoint, subject to the
17 approval of the Senate, the Minority Caucus members of each standing
18 committee, other than a Minority Caucus member who is appointed as a
19 Chair or Vice-Chair of a committee by the President Pro Tempore.

20 3. Membership of standing committees shall be approved by a
21 majority vote of members of the Senate. In the event of a vacancy
22 or extended absence of a member of the Senate, a replacement member
23 may be appointed by the President Pro Tempore or the Minority Floor
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1 Leader, as appropriate. Any such appointment shall be approved by a
2 majority vote of members of the Senate.

3 4. The President Pro Tempore shall appoint all members of
4 select committees.

5 5. The President Pro Tempore and Majority Floor Leader shall
6 each be ex-officio and voting members of all standing and select
7 Senate committees.

8 RULE 7-3. DUTIES OF THE RULES COMMITTEE. The Rules Committee shall
9 determine any policies of the Senate submitted to it by the
10 President Pro Tempore.

11 RULE 7-4. DUTIES OF LEGISLATIVE COMMITTEES. Each legislative
12 committee shall be responsible for the formulation of legislative
13 programs and determination of non-legislative matters within the
14 jurisdiction prescribed by the President Pro Tempore; shall inquire
15 into the administration and execution of all laws and administrative
16 rules within the same jurisdiction; shall consider such proposals as
17 may be submitted to the committee by the President Pro Tempore; and
18 shall be responsible for the continuing codification of all laws
19 within the prescribed jurisdiction.

20 RULE 7-5. DUTIES OF SELECT COMMITTEES. Select committees shall
21 be responsible for such duties as are prescribed at the time of
22 their formation. No select committee shall be formed without its
23 duties being expressly stated at the time of its formation. If a
24 select committee is appointed for the purpose of conducting an
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1 investigation, the Senator requesting the investigation shall not
2 serve as Chair of the committee.

3 RULE 7-6. AUTHORITY OF COMMITTEES. Any Senate committee is
4 authorized to issue process, compel attendance of witnesses, and to
5 administer oaths to any person appearing before the committee. Any
6 Senate committee which considers legislation is empowered to
7 consolidate bills or resolutions, to develop committee substitutes
8 for such bills or resolutions, to amend such bills or resolutions
9 and to develop a committee bill or resolution irrespective of any
10 other legislation.

11 RULE 7-7. PROCEDURES. The following procedures shall be
12 observed by all legislative committees of the Senate:

13 A. MEETING NOTICES. Subject to such exceptions as are provided
14 hereinafter, committees of the Senate shall comply with provisions
15 of the Oklahoma Open Meeting Act. A copy of all notices required by
16 said Act shall be provided to the Chief Operating Officer, who shall
17 designate the appropriate place for such notices to be posted. The
18 Chief Operating Officer shall cause the notice to be posted on the
19 Senate web site and shall take such other actions as may be deemed
20 appropriate to provide adequate notice to the public.

21 B. MEETING TIMES. The Chair of a committee shall schedule
22 meetings of the committee. Meetings at a time other than the
23 regularly scheduled meeting time of a committee shall not conflict
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1 with any regularly scheduled meeting of any other committee, except
2 with the consent of the President Pro Tempore.

3 C. AGENDA. The agenda for any meeting of a committee shall be
4 set by the Chair and shall include the date, time and place of the
5 meeting. A copy of the agenda shall be provided to members of the
6 committee and to authors of legislation to be considered by the
7 committee at least twenty-four (24) hours prior to the meeting
8 unless otherwise approved by the President Pro Tempore. By two-
9 thirds majority vote, the committee members may add or remove bills
10 from the agenda or amend the order of appearance fixed by the Chair.

11 An agenda for a meeting scheduled to meet prior to or during the
12 first three days of session may reflect a measure for which
13 assignment to the committee is anticipated, and the committee may
14 act upon the measure; provided, if the measure is not assigned to
15 the committee during the first three days of session, any committee
16 action on the measure taken prior to or during those days shall be
17 of no force or effect.

18 D. QUORUM. A quorum shall be present when any committee votes
19 on any matter. Any member of a committee may request a quorum call
20 at any time the committee is meeting. A number equal to a majority
21 of the appointed members of the committee shall constitute a quorum.

22 E. PRESIDING OFFICER. The Chair, or in the Chair's absence the
23 Vice-Chair, of the committee, or a designee, shall preside at
24 meetings of the committee. No person shall address the committee

1 unless first recognized for that purpose. If the Chair selects a
2 designee, the designee must be a member of the committee.

3 F. CONDUCT OF BUSINESS. No bill shall be reported to the
4 Senate before it has been the subject of an open public hearing
5 before a committee or subcommittee. When considering legislation or
6 conducting other business, committees shall observe the following
7 procedures:

8 1. When a legislative measure is taken up for consideration,
9 the Senate author shall be recognized for explanation of the
10 measure. In the absence of the Senate author, the Senate author may
11 authorize another member to present the measure. The Senate author
12 shall notify the Chair of the Committee regarding the authorization.

13 2. ~~Upon prior approval given by the Chair of the committee and~~
14 ~~subject to time restraints established by the Chair, any testimony~~
15 ~~from non-members of the committee in favor and/or opposed to the~~
16 ~~measure may be given.~~ The Chair shall afford reasonable opportunity
17 for non-members of the committee and interested parties to appear
18 and testify at the meeting. Instructions shall be posted on the
19 Senate website detailing how interested parties may testify or
20 submit written testimony. The Chair shall require all parties
21 appearing at the meeting, except those that are non-members of the
22 committee, to swear or affirm that the testimony they give a
23 committee or subcommittee is true and correct. Upon completion of
24 the testimony, each member of the committee may put questions to

1 those testifying before the committee. No testimony shall be given
2 unless questions are made available to the members of the committee.

3 3. The Chair may limit testimony and discussion on a measure to
4 that which is adequate, in the Chair's discretion, to enable the
5 committee to consider the measure on its merits. The Chair may
6 limit the length of testimony and discussion and may exclude
7 testimony or discussion which the Chair determines to be repetitious
8 or irrelevant. Order of appearance and time allotted for each
9 witness at a public hearing are fixed at the discretion of the
10 Chair; however, by a majority vote the committee members may amend
11 the order of appearance or time allotted by the Chair.

12 4. Any Senator, including one who is not a member of the
13 committee, may question a witness at a hearing. The right shall not
14 be construed to abridge the Chair's right to provide others an
15 opportunity to be heard or to entitle any Senator more rights than
16 those afforded a member of the committee.

17 5. When possible, a person registered as a lobbyist and
18 representing a client's interest at a public hearing shall submit a
19 written statement of his or her presentation to the committee clerk
20 for inclusion in the permanent record of the meeting.

21 6. The Senate author shall be given the opportunity to answer
22 questions put by members of the committee.

23 ~~4.~~ 7. The Senate author or any member of the committee shall be
24 provided the opportunity for presentation of amendments to the

1 legislation. Amendments to any bill or resolution under
2 consideration by a committee or subcommittee shall be germane to the
3 subject of the introduced bill or resolution. Any amendment must be
4 seconded to receive further consideration. A committee or
5 subcommittee is prohibited from considering a committee substitute
6 or committee amendment that has the same effect and covering the
7 same specific or substantially similar subject matter found in a
8 bill or resolution assigned to a different Senate committee.

9 Provided, the Senate author or any member of the committee offering
10 a committee substitute must submit the proposed committee substitute
11 in writing or electronically to the Chair no later than noon on the
12 legislative day before the meeting of the committee. The Chair may,
13 at his or her discretion, waive the deadline set forth in this rule.
14 When a committee substitute is submitted, the Chair may approve the
15 substitute to be heard by the committee and the committee substitute
16 shall be considered a public record from the time of such approval.

17 ~~5.~~ 8. Amendments and motions may be adopted by a voice vote;
18 provided, however, that the Senate author, or any member of the
19 committee, may require a roll call vote.

20 ~~6.~~ 9. Amendments shall be considered in the order they appear
21 in the legislation, or in the order they are presented to the clerk
22 of the committee; provided, an amendment to restore the title or
23 enacting clause shall be considered after disposition of all other
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1 amendments. The Chair or other member presiding shall resolve any
2 conflict resulting from claimed priority of presentation.

3 ~~7.~~ 10. The author of an amendment shall explain the amendment
4 and be afforded the opportunity to answer questions about the
5 amendment put by members of the committee or the author of the
6 legislation.

7 ~~8.~~ 11. Any member may be recognized for debate or comment on
8 the proposed legislation or amendments thereto. Debate may be
9 limited at the discretion of the Chair or other member presiding,
10 provided that equal time must be given to both proponent and
11 opponent sides of debate.

12 ~~9.~~ 12. The legislation may be laid on the table at the request
13 of the author or at his or her discretion without a vote of the
14 committee to do so at any time prior to the question being put for
15 committee recommendation on the legislation. The legislation may be
16 brought back up later in the same or subsequent meetings of the
17 committee provided it is listed on the agenda in compliance with
18 this rule. If the legislation is brought up at a subsequent
19 meeting, consideration of the legislation will recommence with
20 explanation of the measure.

21 ~~10.~~ 13. The vote on a recommendation by the committee to the
22 Senate concerning a legislative measure shall be by recorded roll
23 call and shall require a majority vote of the members of the
24 committee present and voting, which shall not be less than a quorum,

1 for passage. The only permitted recommendations to the Senate on a
2 legislative measure are "DO PASS" or "DO PASS, AS AMENDED". During
3 any roll call, only a Senator present in the committee room may
4 vote, and every Senator present shall vote. The chair shall request
5 every Senator in the committee room who is a member of the committee
6 and who has not voted to vote. Any Senator choosing to pass upon
7 initial roll call, shall be called on to vote prior to the Vice
8 Chair, then Chair being called on to vote, in advance of closing the
9 committee roll call vote. If any Senator so requested fails to
10 vote, other than as provided in Section 24 of Article V of the
11 Oklahoma Constitution, the chair shall, upon declaring the roll,
12 order that said Senator be shown as voting "NO" on the question.
13 Said "NO" vote shall be included in the determination of the passage
14 or failure of the question. If a Senator is present but not voting
15 as provided in Section 24 of Article V of the Oklahoma Constitution,
16 the Senator shall so inform the chair. In such event, the Senator
17 shall be deemed to be present but not voting, and that Senator's
18 vote shall not be included in the determination of the passage or
19 failure of the question. A tie vote in a committee on the motion of
20 "DO PASS" or "DO PASS, AS AMENDED" shall result in failure of the
21 motion. All committee votes reflecting the votes of each member
22 present and voting on the motion of "DO PASS" or "DO PASS, AS
23 AMENDED", and a notation of any member not voting as provided in
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1 Section 24 of Article V of the Oklahoma Constitution, shall be
2 entered in the Journal.

3 G. LEGISLATION REQUIREMENTS. Except for legislation containing
4 appropriations, all legislation originating in the Senate which is
5 considered by a Senate committee shall contain an Enacting or
6 Resolving Clause, and a House author at the discretion of the Chair.

7 H. SUBCOMMITTEES. The Chair may assign to any subcommittee any
8 legislation, proposal or inquiry; provided, however, no subcommittee
9 shall be permitted to report directly to the Senate, but rather
10 shall report to the parent committee.

11 I. DISTRIBUTION OF MATERIALS. No person shall cause materials
12 to be distributed at any committee meeting without first having
13 obtained approval of the Chair. The person causing the materials to
14 be distributed shall be identified in writing on the face of such
15 materials. Any document or other material distributed to all
16 members of a committee of the Senate during a meeting which is open
17 to the public shall be considered a public record from the time of
18 such distribution.

19 RULE 7-8. CONFERENCE COMMITTEES. The President Pro Tempore
20 shall appoint members of the Senate to serve on conference
21 committees with members of the House of Representatives at such
22 times and in such numbers as the President Pro Tempore deems
23 appropriate.

1 RULE 7-9. WITHDRAWAL FROM COMMITTEE. Any bill or resolution
2 may be withdrawn from any committee of the Senate upon a two-thirds
3 vote of the members of the Senate. Any bill or resolution so
4 withdrawn shall be on General Order. The provisions of this rule
5 shall not prevent a bill or resolution from being reassigned from
6 one committee to another, from being assigned directly to the
7 calendar, or from being double-assigned as provided in Rule 8-21.

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