The Vote Guidance Checklist

Elimination Items

1. Does it create and/or authorize the creation of new fees or taxes?

2. Does it create new state agencies, boards, commissions or permanent task forces?

3. Does it create or enhance the standing of the political class? (*e.g, pay increases for elected officials.)*

4. Does it create loopholes from efficiency, ethics or transparency laws? (*e.g., exempting an agency from the requirements of shared fleet laws; exempting an agency from central purchasing law; exempting an agency from participating in shared services with other agencies; exempting from competitive bid laws in purchasing or in public construction; making the criteria governing corporate giveaways more opaque; or, providing an agency with a loophole in open records or public meeting requirements.)*

5. Does the legislation establish unnecessary, new regulations on the private sector or new limitations on the individual citizen's freedoms liberties?

6. Does the legislation surrender state sovereignty? (*e.g, interstate compacts with other states.*)

7. Does the proposal incur new debt or establish a new, unfunded liability? (*e.g, bond issues or _unfunded_ retirement system COLAS.*)

8. Does the law create a new giveaway to the managerial/corporate class, and/or is the proposal a special law? (*e.g, corporate welfare, or other benefit to a tightly defined or small group.*)

9. Does it create a unfunded mandate on the private sector. (*e.g. insurance coverage mandate*)

10. Was the bill advanced too rapidly? Does the final language violate the spirit of The Constitution's three reading requirement, on three separate days, or House transparency rules? (*i.e. the bill was "shucked" with an untimely filed floor amendment, with completely new language, shortly before final action was taken to approve the bill*.)

11. Does the legislation limit or inhibit clearly Constitutional principals such as freedom of speech or association?

12. Does the bill advance or enable the ever-emerging surveillance state? (*e.g., automated, omnipresent surveillance, ai profiling of surveilled subject, new government data collection and/or sharing systems, enabling central bank digital currency.*)

Warning Signs

The bill contains numerous sections of new law. (*i.e, the size of the bill doesn't always trigger this concern, the amount of new law does.*)

The bill deals with an acronym program. Fear the acronym.

The title includes the word "exemption." Exemption from what? Centralized processes? Transparency requirements? Competitive bid laws? Central purchasing?

The legislation references a NAICS code (*especially if this is new law.*)

The word, "*Notwithstanding*" appears. This is often in the context of, "Notwithstanding any other section of law." In other words, the writer doesn't want you to realize which other section of law might be impacted by the proposal. This is called "amendment by reference," and it's a very bad

way to make law. Any other area of impacted law should be specifically amended, not amended by reference.

The phrase, "*Upon availability of funding,*" is inserted or proposed. This is a pointless concept, that scratches the political itch of a special interest, but, once on the books, could be subject to great misuse. (*e.g., pork earmarks.*)

The bills' authors or co-authors have a sketchy history of advancing special interest or leftist legislation.

The writer of the bill summary is communicating warning signs while not technically sabotaging the bill. For instance, there's not fiscal impact on the summary, but a plain reading of summary's narrative, suggests that there's clearly a fiscal impact.

The purpose is clearly political, (*e.g., legislation which creates a new law, named after a person or an event.*)

The author of the bill takes Constitutional Privilege, **on his own bill**. This is a sure sign of self-dealing.

The bill is clearly a request bill from an out-of-state association such as the National Conference of State Legislatures (*NCSL*). These organizations are tools of the well-funded special interests who often seek to implement bad policy nationwide, state by state, such as the "*Track-and-Tax*" which is advocated for by NCSL.

Reading the Bills

How to triage your bill reading to quickly filter out the bad votes.

Enter the bill number at: http://www.oklegislature.gov/BasicSearchForm.aspx. Bookmark this URL. Put it in your browser's bookmark bar so that you can get to it with a single click.

1: Read the short title of the bill, this provides an initial summation that can be helpful mostly in that you can catch some of the keywords the indicate trouble.

2: Read the bill summary. Most of the time, you will get the gist of the legislation simply by glancing at the summary. This will allow you to pre-qualify the bill against your vote checklist, or to immediately eliminate it from your consideration, e.g., you will be voting no and you will be prepared to explain why. Many of your no votes will become obvious at this stage and you can move on to scan additional bills, only returning to pick of your review of the offending bill, if time allows.

3: Check out ID of the author and co-authors. If the author has been co-opted by and is a tool of a special interest group or if their views are just genuinely leftist, this is a warning. Also, these co-opted legislators will tend to bunch up as co-authors on a bad bill. This provides a nice warning signal.

4: Look at past votes. Who voted against the bill in committee or in the opposite chamber? This will provide guidance. If conservative members opposed the bill, then proceed with great caution.

5: Scan the bill, if there are amendatory sections, scan down to the inserted or struck-through language, don't get caught up in the existing law until you have read the amendatory language and determined that additional study is needed. If there are new sections of law,

6: If needed, cross reference with OSCN.net at https://www.oscn.net/applications/oscn/index.asp?ftdb=STOKST&level=1. Bookmark this link at put it in your bookmark bar for quick retrieval. This is especially important if there are repealers because they are never shown to the reader of a bill, only referenced. Always double-check the repealers.

You may also need to use OSCN to cross reference a referred to statute. For example, "*Notwithstanding the provisions of Title 25 Section 303, we are going to do things this way.*" In this case, you will need to go to OSCN to read the contents of Title 25 Section 303 and you will realize what this dastardly proposal is actually attempting.

7: Have AI help you. This can be very helpful when there's a lot of new law. AI will probably not be very helpful with sections of amendatory language, but it can assist in coming to terms with what it is a new law section is proposing and the possible consequences of it, i.e., ask AI to straw man an argument for why the new law will have bad consequences for the public."

8: If necessary, conduct google research. For example, if there are numerous sections of new law, try googling the exact phrases to see if this is boilerplate from another state.

9: Review any proposed amendments.

10: Document your voting intention in a manner that will allow for easy retrieval.

The Process for Review

Committee

Early in the session, committee votes can be the most challenging because:

1. You are seeing the bill for the first time and there's no vote history to review.
2. You have limited time to review the bill.
3. Committee chairs often green-light poorly constructed bills.

You should have at least 24 hours to read the bill before the committee meeting. The best time to review the committee bills is at night, prior to the meeting. You can work off of the committee agenda. Review the agenda, enter the bill numbers in to the search tool, and go through the above 10 point system.

Also, prepare for the author may file an amendment, up to and even during the committee meeting. Carefully read any amendments, even if you have to do so during the meeting. If you are unsure about the new language, being inserted by the amendment, and do not have proven reason to trust the author, the safe vote is a no vote.

Floor

The floor leader's office *should* notify you by email once a bill has been placed on general order for consideration. This notification starts a 24-hour clock that must elapse before the bill can be heard on the floor. If any amendment is filed, the 24-hour period is extended by an additional 24 hours from the time the amendment is submitted.

Best practice is to work directly from this email. During deadline weeks, as things get hectic, "triage" your bill review according to the 10-step process, then revisit the more complex bills as time permits.

It's important to use your floor time efficiently. While politicians may engage in lengthy speeches or ceremonies, this is an excellent opportunity to study, work off the general order email, and research upcoming bills. Floor time is ideal for staying ahead because, once the session ends and you return to your office, lobbyists will likely target your attention, making it difficult to work uninterrupted.

Also, avoid lobbyist-funded nightlife. This will give you the time needed for deep research and preparation for any debates or advocacy you may need to engage in the following day.

Once a bill reaches the floor, refer to your notes and always be prepared to explain your "no" vote in a simple and defensible way. Use *http://www.oklegislature.gov/BasicSearchForm.aspx* to quickly pull up the bill on your computer to check if any amendments have been filed or if new factors have been introduced that might affect the circumstances of your initial review.