State of Arkansas
92nd General Assembly
First Extraordinary Session, 2020 HR 1001

By: Representative Shepherd

HOUSE RESOLUTION

TO PROVIDE FOR A TEMPORARY EMERGENCY PROCEDURE OF THE HOUSE OF REPRESENTATIVES OF THE NINETY-SECOND GENERAL ASSEMBLY; AND TO PROVIDE FOR VOTING BY LIMITED-DIRECTED PROXY IN CERTAIN CIRCUMSTANCES.

Subtitle

TO PROVIDE FOR A TEMPORARY EMERGENCY PROCEDURE OF THE HOUSE OF REPRESENTATIVES OF THE NINETY-SECOND GENERAL ASSEMBLY.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-SECOND GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. The following temporary emergency procedure of the House of Representatives of the Ninety-Second General Assembly, concerning limited-directed proxy, is adopted:

1. Intent and Duration.

(a) Upon affirmative vote of a majority of the members of the House of Representatives, this temporary emergency procedure shall become effective and applicable to the proceedings of the House of Representatives and its committees for the duration of the Ninety-Second General Assembly.

(b) The purpose of this temporary emergency procedure is to allow members of the House of Representatives to adhere to the guidance given by state and federal officials regarding social distancing and protection of high-risk individuals during the COVID-19 public health emergency, and to

safeguard the health and safety of members and staff, while still fulfilling the constitutional duties and responsibilities of the General Assembly.

(c) If the procedures set forth herein conflict with existing provisions of the Rules of the House of Representatives, these procedures shall supersede the Rules of the House of Representatives for the duration of these temporary emergency procedures. Pairs, as set forth in House Rule 99, will be allowed.

2. Limited-Directed Proxy.

(a) A member of the House of Representatives who is unable or unwilling to be physically present when the House is in session due to concerns regarding the COVID-19 public health emergency shall be allowed to cast a vote by proxy under the limited parameters established by this procedure.

(b) A member of the House of Representatives may submit a request to vote by proxy to the Speaker of the House of Representatives. The request shall be submitted in writing. For purposes of these procedures, “submitted in writing” includes electronic submission of the request by email.

(c) The Speaker of the House of Representatives shall then direct the requesting member’s respective caucus leader, either the Majority Party Leader or the Minority Party Leader, or the majority party leader’s designee or the minority party leader’s designee, to assign a designee member who will be physically present to vote as proxy for the absent member. The Majority Party Leader and Minority Party Leader, or his or her designee, may designate himself or herself to serve as a proxy for an absent member.

(d) A member may be designated to vote by proxy for more than one (1) absent member.

(e)(1) All votes by proxy shall be as indicated in writing by the absent member. The absent member who has assigned his or her vote shall provide his or her designee with his or her voting preference on each bill, resolution, and emergency clause to be considered by the House of

Representatives no later than one (1) hour before the House session begins each day. In the event of a vote being expunged and a bill, resolution, or emergency clause being subject to a second or subsequent vote, or in other extraordinary circumstances, the Speaker of the House may waive the deadline for submission of proxy preference for the bill, resolution, or emergency clause.

(2) A member who assigns his or her vote to a designee shall also provide a statement of his or her preference for voting on each bill, resolution, and emergency clause to come before the House of Representatives to the Chief Clerk of the House.

(f) Voting by proxy on procedural motions shall only be allowed if the absent member is able to provide his or her voting preference on the specific procedural motion to his or her designee and the Chief Clerk of the House in writing prior to the occurrence of the vote on the procedural motion.

(g) The Chief Clerk of the House shall record the proxy assignments and voting preferences in the House Journal.

(h) If a member who had previously indicated his or her intention to cast votes by proxy is physically present:

(1) His or her designee's authority to cast a proxy vote is invalidated for the duration of the member's physical presence; and

(2) Any voting preferences previously indicated by the member for votes that he or she is able to cast while physically present are invalidated and only the member's actual vote cast shall be recorded.

(i) In the event of a "sounding the ballot", votes cast by proxy shall be recorded as if the voting member is present and seated.

3. Quorum.

(a) A member who assigns his or her proxy to the designee chosen by the respective caucus leader, or his or her designee, shall be counted as present for the purposes of a quorum; however, the member shall not be counted as present for the purposes of per diem.

(b) A quorum that is established through the use of proxies and sessions held that utilize votes taken by method of limited-directed proxy, as set forth herein, shall satisfy the requirement that the General Assembly meet at the seat of government every year, as set forth in Article 5, § 5 of the Arkansas Constitution.