

Resolution

ENROLLED SENATE
RESOLUTION NO. 2

By: David

A Resolution providing for the suspension of Senate Rules for creation of limited-directed proxy voting procedure under certain circumstances for the duration of the 1st Regular Session of the 58th Oklahoma Legislature.

WHEREAS, the Governor has issued the ninth amended Executive Order 2020-20 declaring a state of emergency throughout all 77 counties of the state as a result of the national spread of novel coronavirus (COVID-19); and

WHEREAS, efforts are ongoing to ensure Oklahomans follow the Centers for Disease Control and Prevention (CDC) guidance for preventing the spread of COVID-19; and

WHEREAS, as a part of the ongoing effort to stop the spread of COVID-19, the Senate is taking action to minimize exposure to infected persons while conducting necessary legislative business.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF THE 1st SESSION OF THE 58TH OKLAHOMA LEGISLATURE:

THAT the Senate recognizes the seriousness of the health emergency in the state and the guidance issued by federal, state and local authorities to minimize the impact on the health and safety of Oklahomans, while still fulfilling the constitutional duties and responsibilities of the Senate.

THAT in order to help protect the public, members of the Senate and staff, a "Limited-Directed Proxy" voting procedure as provided herein may be exercised by a member of the Senate when:

1. The Senator making the request for a proxy vote has tested positive for COVID-19, is in self-isolation as a result of contracting COVID-19, is in quarantine as result of direct contact with an individual testing positive or for the protection of a high-risk individual;

2. The Majority Floor Leader, the Secretary of the Senate and the Chief Operating Officer of the Senate receive an email no later than thirty (30) minutes prior to the start of each session of a legislative day from each Senator who will be exercising a proxy vote for that legislative day;

3. An electronic or other written communication is sent to the Majority Floor Leader or Minority Floor Leader of the Senator's respective caucus directing his or her voting preference on each bill, resolution and emergency clause; and

4. The Senator requesting a proxy voting procedure participates in the session for which such request is made and is visible by the Presiding Officer and the Majority Floor Leader through a monitor via remote access.

THAT the Majority Floor Leader or Minority Floor Leader or his or her designee shall be designated to communicate and cast the proxy vote and such designated Senator shall be authorized to cast a proxy vote for more than one Senator. Questions and debate shall not be allowed by the Senators voting by proxy.

THAT in the event extraordinary circumstances arise requiring a second or subsequent vote, the President Pro Tempore may waive any requirement interpreted as prohibiting such vote by the Senator exercising votes by proxy.

THAT voting by proxy on procedural motions done by recorded vote shall only be allowed if the Senator is able to provide his or her voting preference on the specific procedural motion to the designee by electronic communication prior to the closing of the vote.

THAT at the conclusion of a legislative day, the Majority Floor Leader and/or Minority Floor Leader shall submit in writing, which may include an electronic submission by email, to the Secretary of

the Senate, the record of proxy assignments for their respective caucus members and each of the directed votes to bills or resolutions. The Senators voting by proxy for each legislative day shall be recorded as voting by proxy in the Senate Journal.

THAT if a Senator who had previously indicated his or her intention to vote by proxy as provided herein is physically present on the floor of the Senate, then the authority of the designee to cast a proxy vote is invalidated for the duration of the legislative day and any vote able to be cast shall be cast by the Senator and any previous written preferences indicated shall be invalidated while the Senator is physically present on the floor of the Senate.

THAT while a Senator may exercise the procedure for voting by proxy, the Senator shall not be counted as present for purposes of a quorum and shall also not be counted as present for the purposes of receiving mileage and/or per diem.

THAT to accomplish the limited-directed proxy voting procedure contained herein, this body will suspend, pursuant to Rule 1-5, upon adoption of this resolution by two-thirds of the members of the Senate, the reference to the procedure in subsection B of Senate Rule 8-31, that states, "During any roll call, only a Senator present on the Senate floor may vote, and every Senator present shall vote."

THAT this resolution shall be in effect until Sine Die of the 1st Session of the 58th Oklahoma Legislature, unless otherwise terminated by a majority vote of the Senate through a resolution.

Adopted by the Senate the 1st day of February, 2021.

Presiding Officer of the Senate

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____
day of _____, 20 _____, at _____ o'clock _____ M.
By: _____