

STATE OF OKLAHOMA

1st Session of the 58th Legislature (2021)

SENATE
RESOLUTION 2

By: David

AS INTRODUCED

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 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:

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

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

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

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

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

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

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

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

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

16 THAT at the conclusion of a legislative day, the Majority Floor
17 Leader and/or Minority Floor Leader shall submit in writing, which
18 may include an electronic submission by email, to the Secretary of
19 the Senate, the record of proxy assignments for their respective
20 caucus members and each of the directed votes to bills or
21 resolutions. The Senators voting by proxy for each legislative day
22 shall be recorded as voting by proxy in the Senate Journal.

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

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

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

17 THAT this resolution shall be in effect until Sine Die of the
18 1st Session of the 58th Oklahoma Legislature, unless otherwise
19 terminated by a majority vote of the Senate through a resolution.

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