The following has special meaning:
green underline denotes added text
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SENATE RESOLUTION 6

(By Senators Trump and Woelfel)

[Introduced February 11, 2021]

Adopting a special rule of order relating to the COVID-19 pandemic for the first regular session of the Eighty-Fifth Legislature.

Whereas, Pursuant to the provisions of Article VI, Section 18 of the Constitution of the State of West Virginia, the Eighty-Fifth Legislature organized on the thirteenth day of January, 2021; and

Whereas, The disease caused by the SARS-CoV2 virus (COVID-19) threatens the ability of members to fulfill their constitutional duties; and

Whereas, The Constitution of the State of West Virginia empowers each house of the Legislature to determine the rules of its proceedings; and

Whereas, Due to the COVID-19 pandemic, a special rule of order is necessary to allow for the safe and continual operation of Senate floor sessions during the legislative session; therefore, be it

Resolved by the Senate:

That a special rule of order be adopted for the first regular session of the Eighty-Fifth Legislature; and, be it

Further Resolved, That members who have been diagnosed with COVID-19, notified of potential exposure to someone diagnosed with COVID-19, or who have been determined by a physician to be at a higher risk for developing serious complications from COVID-19 may designate the Majority Leader or the Minority Leader to be their proxy and to vote on their behalf: Provided, That the presiding officer may, if needed, designate additional members from both the majority and minority to serve as proxies. A member may act as proxy for more than one absent member. Voting by proxy shall be limited to questions which arise on the floor of the Senate and is not permitted in any standing committee, select committee, or subcommittee. Any member seeking to designate a proxy shall make a written or electronic request to the presiding officer and provide documentation of his or her diagnosis, notification of potential exposure, or determination of being at a higher risk no later than one (1) hour prior to the commencement of the floor session. Each absent member, along with their designated proxy, shall be recorded in the Journal. Personal health information related to a proxy voting request or designation is exempt from public disclosure; and, be it

Further Resolved, That prior to the start of the third order of business, the presiding officer shall announce all members who are absent and have been approved to cast votes by proxy. During any division of the body or when the yeas and nays are called for, and after the votes of the members present have been counted or recorded, the presiding officer shall recognize the Majority and Minority Leaders or any other designated proxy, who shall announce the votes of each absent member for which they are authorized to vote, and the result of the vote shall be recorded in the Journal; and, be it

Further Resolved, That the provisions of Rule 43 of the Rules of the Senate shall apply to proxy voting; and, be it

Further Resolved, That a member who has designated a member to act as proxy shall be counted as present for purposes of a quorum; and, be it

Further Resolved, That this special rule of order shall only be in effect for the duration of the first regular session of the Eighty-Fifth Legislature.

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