ENGROSSED SENATE
CONCURRENT
RESOLUTION NO. 4 By: Bingman of the Senate

and

Steele of the House

A Concurrent Resolution relating to Joint Rules; adopting Joint Rules for the 53rd Legislature.

BE IT RESOLVED BY THE SENATE OF THE 1ST SESSION OF THE 53RD OKLAHOMA LEGISLATURE, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

SECTION 1. The Joint Rules of the 53rd Oklahoma Legislature read as follows:

JOINT RULES

53RD OKLAHOMA LEGISLATURE

2011-2012

PREAMBLE

The Oklahoma Legislature hereby adopts the following joint rules to govern its operations and procedures pursuant to Article V, Section 30 of the Oklahoma Constitution.

RULE ONE

JOINT SESSIONS

(a) The Officers of joint sessions of the Legislature shall be the President of the Senate, the Speaker of the House of

Representatives, the President Pro Tempore of the Senate, the Secretary of the Senate, and the Clerk of the House of Representatives.

(b) Upon the convening of a joint session of the Legislature, the Secretary of the Senate and the Clerk of the House of Representatives shall keep a report of the proceedings to be published in the journals of their respective chambers.

RULE TWO

COMMUNICATIONS BETWEEN SENATE AND HOUSE

All bills, resolutions, votes and amendments by either chamber, to which the concurrence of both is necessary, as well as messages, shall be presented to the other under the signature of the Clerk or Secretary of the chamber from which they are transmitted. Messages between the chambers shall be sent only while the receiving chamber is sitting.

RULE THREE

REVENUE BILLS ORIGINATE IN HOUSE OF REPRESENTATIVES

All bills for raising revenue shall originate in the House. The Senate may propose amendments to revenue bills. No revenue bill shall be passed during the last five (5) days of the session. (Art. V, Section 33, Oklahoma Constitution)

RULE FOUR

SIGNING OF BILLS AND RESOLUTIONS

The presiding officer of each House shall, in the presence of the House over which presiding, sign all bills and joint resolutions passed by the Legislature, immediately after the same shall have been publicly read at length, and the fact of the reading and signing shall be entered into the Journal, but the reading at length may be dispensed with by a two-thirds (2/3) vote of a quorum present, which vote, by yeas and nays, shall also be entered into the journal. (Art. V, Section 35, Oklahoma Constitution)

RULE FIVE

CONTENTS OF BILLS AND JOINT RESOLUTIONS

Every act of the Legislature shall embrace but one subject, which shall be clearly expressed in its title, except general appropriation bills, general revenue bills, and bills adopting a code, digest, or revision of statutes; and no law shall be revised, amended, or the provisions thereof extended or conferred, by reference to its title only; but so much thereof as is revised, amended, extended, or conferred shall be reenacted and published at length; provided, that if any subject be embraced in any act contrary to the provisions of this Rule, such act shall be void only as to so much of the law as may not be expressed in the title thereof. (Art. V, Section 57, Oklahoma Constitution)

RULE SIX

AVAILABILITY OF LEGISLATION

Neither chamber of the Oklahoma Legislature shall consider legislation unless said legislation has been made available on a previous legislative day to the members of the chamber then having custody of the measure.

RULE SEVEN

JOINT COMMITTEE ON APPROPRIATIONS AND BUDGET

7.1 – Composition and Title.

(a) There shall be constituted a joint committee whose membership is composed of members of the House of Representatives and of the Senate. The joint committee established by this Rule shall be styled as the Joint Committee on Appropriations and Budget and shall be hereinafter referenced in this Rule as the "Joint Committee".

(b) The members of the Senate appointed to serve on the Joint Committee shall be appointed by the President Pro Tempore of the Senate. The members of the House of Representatives appointed to serve on the Joint Committee shall be appointed by the Speaker of the House of Representatives. Ex officio members of the committees of each respective chamber shall be ex officio and voting members of the Joint Committee.

7.2 – Co-Chairs and Co-Vice Chairs.

(a) The Speaker of the House and the President Pro Tempore of the Senate shall each appoint one member to serve as Co-Chair of the Joint Committee. The Speaker of the House and the President Pro

Tempore of the Senate shall each appoint one member to serve as Co-Vice Chair of the Joint Committee.

(b) While considering a bill or resolution in a joint meeting, the Joint Committee shall be presided over by the member appointed as a Co-Chair by the proposed legislation's chamber of origin unless otherwise determined by the Joint Committee.

(c) When meeting jointly or separately, the Co-Vice Chair shall assume the duties of the Co-Chair from the same chamber during the absence or request of the Co-Chair.

7.3 – Timing of Meetings.

The dates, times and locations of separate meetings shall be determined by the Speaker of the House and the President Pro Tempore of the Senate for their respective delegations.

7.4 – Notice of Meetings.

Unless otherwise established by agreement between the Speaker of the House and the President Pro Tempore of the Senate, twenty-four (24) hours of notice to the public shall be provided for meetings of the Joint Committee whether such meetings shall be held jointly or separately.

7.5 – Open Meetings.

Meetings of the Joint Committee shall be open to the public.

7.6 – Calendars of Business.

Unless otherwise established by agreement between the Speaker of the House and the President Pro Tempore of the Senate, the Co-Chairs

of the Joint Committee shall establish the calendar of business for the Joint Committee.

7.7 – Authority of the Co-Chairs or Co-Vice Chairs.

(a) The presiding Co-Chair or Co-Vice Chair of the Joint Committee shall have all authority necessary to maintain order and decorum and to ensure efficient operation of the Joint Committee.

(b) Except as otherwise provided for by this Rule, when meeting separately each chamber's respective Rules governing the conduct of committee meetings shall apply to meetings of the Joint Committee; provided, the Co-Chairs of the Joint Committee may establish procedures for the conduct of joint meetings of the Joint Committee.

7.8 – Quorum.

(a) In a joint meeting, a quorum shall be considered present only when a majority of the members appointed by the House of Representatives and a majority of the members appointed by the Senate are present.

(b) In a separate meeting convened either by the Speaker of the House or by the President Pro Tempore of the Senate, a quorum shall be considered present when a majority of the members from the convening chamber are present.

7.9 – Amendments.

Legislation referred to the Joint Committee shall not be amended other than by adoption of a committee substitute authored by the Co-Chairs of the Joint Committee.

7.10 - Voting.

(a) All votes cast in the Joint Committee shall be conducted in open, public meetings.

(b) Only those committee members present may vote on any matter.

(c) A proposed recommendation shall not be considered adopted by the Joint Committee unless a majority of a quorum of the members appointed by the House of Representatives and a majority of a quorum of the members appointed by the Senate shall have both, at some time in the course of the present biennium, voted in favor of the question.

7.11 - Recommendations.

(a) A recommendation by the Joint Committee of "Do Pass" or "Do Pass, As Amended" shall constitute a favorable recommendation.

(b) Upon adoption of a favorable recommendation by the Joint Committee, the Co-Chairs shall cause a joint committee report to be created recording the ayes and the nays. Said report shall be filed with the chief legislative officer of the recommended legislation's chamber of origin.

(c) All legislation receiving a favorable recommendation by the Joint Committee to the chamber of origin shall contain a complete Title and an Enacting or Resolving Clause.

(d) No measure shall be recommended by the Joint Committee to the chamber of origin which does not have a fiscal impact. A fiscal

impact may arise from provisions affecting revenues or expenditures or from provisions giving rise to a fiscal impact upon any governmental subdivision of the State of Oklahoma.

7.12 – Joint Calendar for Appropriations and Budget.

(a) There shall be constituted a joint calendar upon which only those measures receiving a favorable recommendation by the Joint Committee shall be published. The joint calendar established by this Rule shall be styled as the Joint Calendar on Appropriations and Budget and shall be hereinafter referenced in this Rule as the "Joint Calendar".

(b) Upon filing with the chief legislative officer of the chamber of origin, the joint committee report shall be published to the Joint Calendar. When published to the Joint Calendar, said report shall be distributed to the members of the House and Senate and shall be made available to the public on a legislative day prior to consideration in the chamber of origin.

(c) The distribution and public availability requirements of Rule 7.12, paragraph (b) shall fulfill all internal and external distribution and availability requirements for both chambers of the Legislature for measures receiving a favorable recommendation by the Joint Committee.

7.13 – Consideration in Chamber of Origin.

(a) If a measure favorably reported by the Joint Committee is scheduled for consideration, the joint committee report, prior to

advancement of the measure from General Order to Third Reading and Final Passage, shall undergo consideration and shall either be adopted or rejected.

(b) Upon adoption of the joint committee report, the bill or resolution shall be considered advanced from General Order, engrossed and on Third Reading and Final Passage.

(c) If a motion to reject the joint committee report is adopted, the report and the measure shall be returned to the custody of the Joint Committee.

(d) No bill or resolution receiving a recommendation from the Joint Committee of "Do Pass" or "Do Pass, As Amended" shall be subject to amendment.

7.14 - Consideration in the Opposite Chamber.

(a) Upon consideration in the opposite chamber, the joint committee report, prior to advancement of the measure from General Order to Third Reading and Final Passage, shall undergo consideration and shall either be adopted or rejected.

(b) Upon adoption of the joint committee report in the opposite chamber, the bill or resolution shall be considered advanced from General Order, engrossed and on Third Reading and Final Passage.

(c) If a motion to reject the joint committee report is adopted, the report and the measure shall be returned to the custody of the Joint Committee.

(d) No bill or resolution receiving a recommendation from the Joint Committee of "Do Pass" or "Do Pass, As Amended" shall be subject to amendment.

7.15 - Deadlines.

(a) Measures referred to the Joint Committee shall not be subject to the legislative deadlines regularly adopted by the Legislature.

(b) If the Joint Committee does not report a bill or resolution with a recommendation prior to Sine Die Adjournment of the First Regular Session of the biennium, the bill or resolution shall remain in the custody of the Joint Committee and shall carry over to the Second Regular Session of the biennium with the same status.

(c) The Speaker of the House and the President Pro Tempore of the Senate may establish other deadlines applicable to the Joint Committee.

7.16 - Security.

(a) Unless otherwise established by agreement between the Speaker of the House and the President Pro Tempore of the Senate, the Co-Chairs of the Joint Committee created pursuant to this Rule shall jointly determine what security arrangements shall be necessary for each Joint Committee meeting.

(b) Unless otherwise established by agreement between the Speaker of the House and the President Pro Tempore of the Senate, the Co-Chairs of the Joint Committee created pursuant to this Rule

shall individually determine what security arrangements shall be necessary for separately convened committee meetings.

RULE EIGHT

CONFERENCE COMMITTEES

8.1 - Procedures.

(a) When a bill or resolution is returned by either chamber to the other with amendments, and the chamber where the bill or resolution originated refuses to concur in said amendments, a conference, by a majority vote of those present and voting, may be requested. Such action shall be transmitted by message which shall include the names of the conferees on the part of the requesting chamber. Upon receipt of such message, the other chamber may, in like manner, grant such conference, notifying the requesting chamber by message stating therein the names of its conferees.

(b) In case of agreement by a majority of the members of each chamber, the conference committee report shall first be made to the chamber of origin, and there acted upon, the action taken to be immediately reported, by message, by the Secretary or the Clerk to the other chamber. The conference committee report shall be signed by a majority of the conferees appointed by each chamber.

(c) In the event of the failure of either chamber to adopt the conference committee report, the bill or resolution as reported by the conference committee shall remain with the chamber where the failure to adopt occurred and that chamber may, at any time

thereafter, request further conference and the original or new conferees shall be appointed for the further consideration of amendments. In the event that the conference committee report is rejected and further conference is requested, the bill or resolution shall be in custody of the House of origin.

(d) In case the conferees of the two chambers are unable to agree they shall report that fact to the House of origin by filing a conference committee report stating "conferees are unable to agree". The bill or joint resolution shall revert to the status it occupied before being sent to conference committee.

(e) It shall be within the exclusive jurisdiction of the chamber of origin:

1. to determine the germaneness of all amendments proposed by the opposite chamber to the bills and joint resolutions of the chamber of origin; and

2. to determine the germaneness of all conference committee substitutes as well as any other changes made within a conference committee report to the bills and joint resolutions of the chamber of origin.

8.2 - Joint Conference Calendar.

(a) The President Pro Tempore of the Senate and the Speaker of the House may establish a joint calendar for publication of conference committee reports.

(b) Unless otherwise established by agreement between the Speaker of the House and the President Pro Tempore of the Senate, a conference committee report, upon filing with the chief legislative officer of the chamber of origin, may be published to the Joint Conference Calendar. When published to the Joint Conference Calendar, said report shall be distributed to the members of the House and Senate and shall be made available to the public.

RULE NINE

RECALL OF MEASURES FROM GOVERNOR

Bills and joint resolutions presented to the Governor, and on which action by the Governor is pending, may be recalled only by a concurrent resolution introduced in the chamber of origin of said bill or joint resolution and adopted by both chambers; provided, however, bills and joint resolutions may be recalled from the Governor upon a joint request of the presiding officers of both chambers for the exclusive purpose of correcting typographical and grammatical errors therein when such request for recall identifies the errors to be corrected. The amendment of such bill or joint resolution recalled on request of the presiding officers shall be limited to the correction of errors as stated in the recall request. The recall request shall be printed in full in the journal of each chamber.

RULE TEN

LEGISLATIVE SCHEDULE

(a) The First Regular Session of the 53rd Oklahoma Legislature shall adhere to the following procedure schedule:

1. March 17, 2011, shall be the final legislative day for Third Reading and Final Passage of a bill or joint resolution in the chamber of origin.

2. April 28, 2011, shall be the final legislative day for Third Reading and Final Passage of a bill or joint resolution in the chamber opposite the chamber of origin.

3. The First Regular Session of the 53rd Oklahoma Legislature shall adjourn sine die not later than 5:00 p.m. on May 27, 2011.

4. Upon a two-thirds (2/3) vote of the membership of both chambers, a bill or joint resolution may be exempted from all deadline dates in both chambers; provided, each chamber may adopt rules which supersede the provisions of this Rule.

(b) The Second Regular Session of the 53rd Oklahoma Legislature shall adhere to the following procedure schedule:

1. December 9, 2011, shall be the final date for requesting the drafting of bills and joint resolutions in the House and Senate for introduction for consideration during the Second Regular Session.

2. January 19, 2012, no later than 4:00 p.m., shall be the deadline for introduction of bills and joint resolutions in the Senate and House of Representatives for consideration on the floor of the House of Representatives or Senate during the Second Regular Session.

3. The Second Regular Session of the 53rd Oklahoma Legislature shall convene at twelve noon on February 6, 2012.

4. March 15, 2012, shall be the final legislative day for Third Reading and Final Passage of a bill or joint resolution in the chamber of origin.

5. April 26, 2012, shall be the final legislative day for Third Reading and Final Passage of a bill or joint resolution in the chamber opposite the chamber of origin.

6. The Second Regular Session of the 53rd Oklahoma Legislature shall adjourn sine die not later than 5:00 p.m. on May 25, 2012.

7. Upon a two-thirds (2/3) vote of the membership of both chambers, a bill or joint resolution can be exempted from all deadline dates in both chambers; provided, each chamber may adopt rules which supersede the provisions of this Rule.

(c) This schedule may be amended or modified by the adoption of a concurrent resolution by a majority vote of the membership of each chamber.

(d) This schedule shall be inapplicable to any joint resolution introduced for the purpose of disapproving or approving agency rules pursuant to the provisions of the Administrative Procedures Act.

(e) This schedule shall be inapplicable to any bills introduced for the purposes of incorporating and merging different versions of a statute amended in more than one measure at the same or different

sessions of the Legislature as set forth in Section 23.1 of Title 75 of the Oklahoma Statutes.

(f) This schedule shall be inapplicable to any bill or joint resolution introduced for the purpose of approving, disapproving, repealing or modifying rules of the Ethics Commission pursuant to the provisions of Section 3 of Article XXIX of the Oklahoma Constitution.

(g) This schedule shall be inapplicable to any bill or joint resolution which proposes a special or local law and for which notice of intended introduction is published in a newspaper for four consecutive weeks pursuant to the provisions of Section 32 of Article V of the Oklahoma Constitution.

(h) The dates specified in this Rule for introduction of bills or joint resolutions shall be inapplicable to any bill or joint resolution which contains an "RB" number pursuant to the provisions of the Oklahoma Pension Legislation Actuarial Analysis Act. Such measures shall be submitted to the legislative actuary not later than such dates, and may be introduced not later than the first Monday in February following such submission.

(i) This schedule shall be inapplicable to any bill or joint resolution authored by the chairs and vice-chairs of the Senate Appropriations Committee and the House Appropriations and Budget Committee which affects the receipt, expenditure or budgeting of

state funds or funds under the control of an entity created by state law.

(j) This schedule shall be inapplicable to any bill or joint resolution authored by the President Pro Tempore of the Senate and the Speaker of the House of Representatives which is deemed by them to be necessary for the preservation of public peace, health or safety.

(k) This schedule shall be inapplicable to any bill or joint resolution authored by the Speaker of the House of Representatives and the President Pro Tempore of the Senate which provides for redistricting pursuant to the 2010 federal census.

RULE ELEVEN

ADOPTION, AMENDMENT OR SUSPENSION OF JOINT RULES

(a) Joint Rules shall be adopted by a concurrent resolution by a majority vote of the membership of each chamber. Thereafter, except as provided in paragraph (c) of Rule Ten, said Rules may be amended, modified or repealed only by the adoption of a concurrent resolution by a two-thirds (2/3) vote of the membership of each chamber.

(b) Any Joint Rule or a portion thereof, except such joint rules as are expressions of requirements contained within the Oklahoma Constitution, may be suspended by a two-thirds (2/3) vote of the membership of each chamber.

RULE TWELVE

DURATION OF JOINT RULES

Joint Rules adopted in the First Regular Session of a Legislature shall be in full force and effect during both regular sessions of the same Legislature, unless amended, modified, or repealed as provided herein.

Adopted by the Senate the 14th day of February, 2011.

_____
Presiding Officer of the Senate

Adopted by the House of Representatives the ____ day of _____, 2011.

_____
Presiding Officer of the House
of Representatives