

Resolution

ENROLLED HOUSE
RESOLUTION NO. 1044

By: Hickman and Inman

A Resolution amending the Rules of the House of Representatives of the 54th Oklahoma Legislature; abolishing the Calendar Committee and Consent Calendar and all references thereto; striking Rules 1.10, 7.21, 7.22, 7.24, 7.25 and 7.27, which relate to the Calendar Committee; striking Rules 7.28 and 8.19, which relate to the House Consent Docket; abolishing the Calendar Committee; amending Rules 2.1 and 2.2, which relate to the Speaker Pro Tempore; removing references to the Calendar Committee; amending Rule 7.1, which relates to committees; striking definition; amending Rule 7.12, which relates to discharge of bills and resolutions from committee; transferring duties from the Calendar Committee to the Speaker of the House or the Speaker's designee; amending Rule 7.19, which relates to consideration of conference committee reports; transferring duties from the Calendar Committee to the Speaker of the House or the Speaker's designee; amending and renumbering Rules 7.23, 7.26 and 7.29, which relate to the Calendar Committee; transferring certain duties to the Speaker of the House or the Speaker's designee; transferring certain duties to the Rules Committee; amending Rule 8.4, which relates to Second Reading; removing reference to Consent Calendar; amending Rule 10.1, which relates to precedence of motions; and modifying motions.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE 2ND SESSION OF THE 54TH OKLAHOMA LEGISLATURE:

THAT the Rules of the House of Representatives of the 54th Oklahoma Legislature are hereby amended as follows:

~~1.10 House Calendar Committee~~

~~(a) The Speaker shall appoint the chairperson, vice-chairperson and members of the House Calendar Committee as the Speaker determines to be necessary. Appointments made pursuant to this section shall comply with the requirements of Section 7.21 of these Rules.~~

~~(b) The Speaker shall be an ex officio voting member of the House Calendar Committee.~~

2.1 - Convening

(a) In the absence of the Speaker, the Speaker Pro Tempore, as presiding officer, shall convene the House of Representatives on the day and at the hour to which the House was adjourned on the previous legislative day.

(b) Upon taking the chair, the Speaker Pro Tempore shall call the House to order and, except in the absence of a quorum, proceed under the order of business ~~recommended by the House Calendar Committee~~ and adopted by the House.

(c) In the absence of the Speaker, the Speaker Pro Tempore may designate any other member of the House to serve as the presiding officer, but such designation shall not last beyond that day's adjournment.

2.2 - Duties

(a) The Speaker Pro Tempore shall perform the duties of Speaker in the absence of the Speaker.

(b) The Speaker Pro Tempore shall be an ex officio voting member of all standing, special and joint committees.

(c) The Speaker Pro Tempore shall be an ex officio voting member of all standing conference committees.

~~(d) The Speaker Pro Tempore shall be an ex officio voting member of the House Calendar Committee.~~

7.1 - Definitions

(a) A standing committee is a committee appointed by the Speaker of the House pursuant to Section 1.8 of these Rules which continues as a distinct entity for the duration of the biennium unless dissolved by the Speaker pursuant to the same authority.

(b) A standing subcommittee is a subcommittee appointed by the Speaker of the House pursuant to Section 1.8 of these Rules which exercises oversight or other specific authority assigned to it by the Speaker and reports directly to a standing committee.

(c) A special committee is a committee appointed by the Speaker of the House pursuant to Section 1.8 of these Rules which carries out a particular task defined at the time of the committee's creation and appointment. Upon completion of the task assigned to the special committee, the special committee is immediately dissolved.

(d) A conference committee is a committee tasked with resolving differences between the House of Representatives and the Senate. A conference committee consists of members from both chambers with the House members of a conference committee being appointed by the Speaker of the House pursuant to Section 1.9 of these Rules.

~~(e) The House Calendar Committee is a scheduling committee established by adoption and operation of these Rules. The membership of the Calendar Committee must reflect the approximate partisan make-up of the House of Representatives.~~

7.12 - Discharge From Committee

(a) Any bill or resolution may be discharged from any standing committee of the House upon a request electronically signed by two-thirds (2/3) of the members of the House.

(b) The bill or resolution in question shall be identified on the face of the petition and an electronic copy of the measure shall be attached to the discharge petition.

(c) The request for discharge of a bill or resolution and the attached measure shall be electronically submitted to the Clerk of the House. No other person except the principal House author of the measure in question shall submit a discharge petition to the Clerk. The Clerk shall determine if the discharge petition contains the necessary signatures as required by this section. If the discharge

petition contains the necessary signatures, the Clerk shall forward the petition to the ~~House Calendar Committee~~ Speaker of the House or the Speaker's designee.

(d) Upon receipt of the discharge petition from the Clerk of the House, the ~~House Calendar Committee~~ Speaker of the House or the Speaker's designee shall place the bill or resolution on the daily House floor agenda ~~with an appropriate floor rule attached~~. The Clerk of the House shall cause the discharge petition, along with the attached measure, to be published upon the House website.

(e) The ~~House Calendar Committee~~ Speaker of the House or the Speaker's designee shall not place a bill or resolution on the daily House floor agenda if the discharge petition pertaining to the bill or resolution was filed after 12:00 noon on the Tuesday immediately prior to the final date for Third Reading in either regular session.

7.19 - Consideration Of Conference Committee Reports

(a) Motions to accept or reject Senate amendments or to adopt or reject conference committee reports may be arranged on a calendar or upon such calendars as may be directed by the ~~House Calendar Committee~~ Speaker of the House or the Speaker's designee.

(b) The House shall not consider adoption of a conference committee report or a joint committee report until a majority of both the House and Senate members constituting the conference committee or joint committee have adopted or signed the report.

(c) The House shall not consider a House conference committee report or a joint committee report unless it is limited to matters germane to the bill or resolution.

(d) A motion to adopt or reject a conference committee report or a joint committee report shall be subject to debate. Debate shall be limited to one (1) hour, equally divided between the proponents and the opponents of the motion, provided that no member may speak for more than ten (10) minutes.

(e) If debate is requested and entertained on the question of adoption of a conference committee report, no further debate shall be permitted on Fourth Reading and final passage of the same measure.

(f) If debate is requested and entertained on the question of adoption of a joint committee report, no further debate shall be permitted on Third Reading and final passage of the same measure.

CHAPTER C. ~~CALENDAR COMMITTEE~~ FLOOR ACTIVITY

7.21 - ~~House Calendar Committee~~

~~There shall be constituted a House Calendar Committee appointed by the Speaker of the House pursuant to Section 1.10 of these Rules. The membership of the House Calendar Committee shall reflect the approximate partisan composition of the House of Representatives.~~

7.22 - ~~Authority To Schedule Legislation~~

~~(a) Except as provided in Section 7.12 of this Rule, authority to schedule legislation on the Floor of the House of Representatives shall be delegated to the House Calendar Committee.~~

~~(b) A measure previously scheduled for consideration by the Calendar Committee may be removed by the committee prior to the time the principal author or the designee of the principal author is initially recognized by the presiding officer to present the bill or resolution on the House Floor.~~

~~(c) If, in the judgment of the Calendar Committee, a measure requires additional consideration, the Calendar Committee may return the measure in question to the standing or special committee from which the measure was reported.~~

~~(d) Upon adoption by the House of a motion to recommit a measure to the House Calendar Committee, pending amendments to the bill or resolution in question shall not adhere to the measure upon its return to the Calendar Committee. A measure recommitted pursuant to this paragraph shall revert to the same form as said measure was reported from a standing or special committee except that any main floor amendments adopted prior to adoption of the motion to recommit shall be attached to the measure upon return to the Calendar Committee.~~

7.23 - ~~Duties~~ Management of Legislation and Committee Deadlines

~~(a) At the beginning of each regular session of the biennium and at the beginning of any special session within the biennium or~~

~~as needed at any other time, the Calendar Committee shall propose a regular order of business for the House of Representatives.~~

~~(b) On the next legislative day following publication of the proposed order of business, the proposed order of business shall be presented for consideration before the House of Representatives.~~

~~(c) The motion to adopt a proposed order of business shall be an incidental motion as delineated in Section 10.1 of these Rules.~~

~~(d) The Calendar Committee Speaker of the House or the Speaker's designee shall publish a list of measures to be considered by the House of Representatives, and the ~~chairperson or a member~~ designated by the chairperson Speaker of the House or the Speaker's designee shall determine the order of their consideration.~~

~~(e) (b) No measure shall be scheduled by the Calendar Committee for consideration unless the measure has been reported from a standing or special committee or has been referred directly to the General Order category of the House Calendar pursuant to Section 1.4 of these Rules. No measure shall be considered reported from a standing or special committee until the electronically signed committee report is filed with the Clerk of the House.~~

~~(f) (c) The Calendar Committee Speaker of the House or the Speaker's designee shall determine the dates for committee deadlines within the General Order periods of the biennium.~~

~~7.24 - Notice Of Meetings~~

~~(a) The Calendar Committee shall provide at least twenty-four (24) hours notice of a meeting. Notice of the meeting shall be published through an appropriate, public medium such as the House website or electronic mail. In case of emergency, with the approval of the Speaker, a meeting may be held with notice appropriate to the circumstances. The Speaker shall announce and describe the emergency in the same manner as notice is given.~~

~~(b) A notice shall state the date, time and place of a meeting. If the committee is scheduled for a regular meeting, but does not plan to meet, a notice stating that no meeting is to be held shall be posted.~~

~~7.25 - Authority Of The Chair And Procedures~~

~~(a) The chairperson shall exercise all authority necessary to maintain order and decorum, including the authority to request the Sergeant at Arms to clear the committee room of a person or persons causing disruption.~~

~~(b) In case of a chairperson's absence, the vice-chairperson shall assume all duties of the chairperson until the chairperson's return or replacement.~~

~~(c) When conducting business the committee shall observe the following procedures:~~

~~1. no person shall address the committee unless first recognized by the chairperson for that purpose;~~

~~2. all motions offered in the committee shall require a second to receive further consideration;~~

~~3. the chairperson shall cause to be created a report listing the measures to be considered on the House Floor. The report shall always include the "floor rule" as adopted by the committee for each measure or measures as provided in this section;~~

~~4. the committee may only conduct business if a quorum of the committee is present. A quorum is a majority of the members of the committee; and~~

~~5. the chairperson shall determine the amount of debate to be allowed on debatable questions.~~

~~7.26 - Assignment Of Floor Rules~~

(d) Upon adoption by the House of a motion to commit a measure to the House Rules Committee, pending amendments to the bill or resolution in question shall not adhere to the measure upon its commitment to the Rules Committee. A measure committed pursuant to this paragraph shall revert to the same form as said measure was reported from a standing or special committee except that any main floor amendments adopted prior to adoption of the motion to commit shall be attached to the measure upon commitment to the Rules Committee. A measure committed to the Rules Committee pursuant to this paragraph shall not be subject to House committee deadlines.

7.22 - Special Rules

(a) ~~Upon scheduling a measure for consideration on the House Floor, at the same time, the Calendar Committee shall~~ The House Rules Committee may adopt a "floor special rule" for ~~the scheduled a~~ measure scheduled or to be scheduled for consideration on the House Floor.

(b) A floor special rule may be adopted in the following general forms:

1. ~~Open Rule: the standard House Rules shall apply to the measure in question; or~~

2. ~~Special Rule: may limit the offering of amendments, may prescribe the time and conditions of debate, may govern floor consideration on Third or Fourth Reading of the bill, or may contain any other provisions deemed appropriate.~~

(c) A special rule shall not become operational unless first presented to the full House in the form of a House resolution. A House resolution reported by the ~~Calendar Committee~~ Rules Committee for this purpose shall not be subject to amendment on the House Floor.

~~7.27 - Voting~~

~~(a) All votes in the House Calendar Committee shall be conducted in open public meetings of the committee.~~

~~(b) A motion to schedule a measure or to adopt a floor rule shall require a majority vote of a quorum of the members of the committee.~~

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

~~7.28 - Consensus Measures~~

~~When a measure is reported from a standing or special committee as "Do Pass" or "Do Pass as Amended" and is reported with a unanimous vote of the committee members voting, the chairperson of the House Calendar Committee may publish such measures on the House Consent Docket.~~

~~7.29~~ 7.23 - Special Orders

(a) After a measure is scheduled ~~by the Calendar Committee~~ for consideration on the House Floor, a two-thirds (2/3) majority of the House may vote to designate a measure as a "special order" to be taken up on a specific date or at a specific time. Such a vote shall be recorded in the House Journal.

(b) The provisions of this section shall not apply on the final date for Third Reading in either regular session or on the date of sine die adjournment.

8.4 - Second Reading

(a) After the First Reading of a bill or joint resolution, the bill or joint resolution shall be placed on the House Calendar under "Bills on Second Reading" or "Joint Resolutions on Second Reading", as the case may be.

(b) On the Second Reading of a bill, the bill shall be read by Title only, unless otherwise ordered by the House, and shall be referred by the Speaker to an appropriate committee or directly to the House Calendar under the heading "Bills on General Order", or "Joint Resolutions on General Order", ~~"Bills on Consent Calendar", or "Joint Resolutions on Consent Calendar"~~, as the case may be.

(c) No bill or joint resolution on First or Second Reading shall be subject to amendment or debate.

~~8.19~~ ~~Consent Docket~~

~~(a) There shall be a Consent Docket upon which the chairperson of the House Calendar Committee may place such measures as have been favorably reported with a unanimous vote of the committee members voting.~~

~~(b) Measures placed on the Consent Docket shall not be considered by the House of Representatives for forty eight (48) hours after the measure is placed on the Consent Docket. The measure may then be scheduled for final consideration on the third legislative day.~~

~~(c) During the two (2) days established in paragraph (b) of this section, any member, in open session and with a minimum of~~

~~fifteen (15) seconds, may request that a bill or resolution be removed from the Consent Docket and placed on General Order. Such request shall be recorded in the House Journal.~~

~~(d) All bills and resolutions from the Consent Docket shall be considered for final action as provided by House Rules, except that there shall be no debate or amendments offered.~~

10.1 - Precedence Of Motions

When a question shall be under consideration, no motion shall be received except as hereinafter specified, which motion shall have precedence in the order stated, and shall be amendable or not amendable, debatable or not debatable, as set forth below:

(a) Privileged Motions

To adjourn (not amendable - not debatable)

To adjourn to a time certain (amendable - not debatable)

Questions and motions of privilege (as governed by Section 9.5 of these Rules)

~~To adjourn (not amendable - not debatable)~~

To recess (amendable - not debatable)

Call of the House (not amendable - not debatable; see Section 10.5 of this Rule)

To work under the Call of the House (not amendable - not debatable; see Section 10.5 of this Rule)

Question of presence of quorum (not amendable - not debatable)

To table (not amendable - not debatable); the motion to table shall not be applicable to a motion to suspend House Rules

(b) Incidental Motions

Appeals (not amendable - not debatable, except as governed by Section 9.2 of these Rules)

~~Adoption of order of business proposed by House Calendar Committee (amendable - not debatable)~~

Requests for leave to withdraw a motion or question under consideration (not amendable - not debatable; see Section 10.4 of this Rule)

Suspension of the Rules (not amendable - not debatable)

Objection to consideration of a question (not amendable - not debatable)

Method of consideration (amendable - not debatable)

Question of priority (not amendable - not debatable)

Reading of papers (not amendable - debatable)

(c) Subsidiary Motions

To advance from General Order (not amendable - not debatable)

To put the Previous Question (not amendable - not debatable)

To Advance the Question (not amendable - not debatable)

To postpone to a time certain (amendable - debatable)

To commit without instructions (not amendable - not debatable)

To amend (amendable - debatable)

To postpone indefinitely (not amendable - debatable)

(d) Main Motions

A main motion shall be defined as a substantive proposal such as a bill, resolution or any other question which requires passage, adoption, rejection, approval or disapproval by the House of Representatives.

Main questions include but are not limited to the following and shall rank in the following order:

To reconsider (not amendable - debatable)

To rescind (not amendable - debatable)

To adopt a conference committee report/joint committee report
(not amendable - debatable)

To reject a conference committee report/joint committee report
(not amendable - debatable)

To reject a conference committee report/joint committee report
with instructions (instructions amendable - debatable)

To commit with instructions (instructions amendable - debatable)

Any other main question not specifically listed shall be taken
up in the order offered.

Adopted by the House of Representatives the 27th day of
February, 2014.

Presiding Officer of the House of
Representatives

OFFICE OF THE SECRETARY OF STATE

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

By: _____