

RULE 8 - ORDER OF BUSINESS AND LEGISLATIVE PROCESS

8.6 - 1. RECOMMENDATION OF RULES COMMITTEE AND MOTION TO STRIKE TITLE

Rule – House Rule 8.6, paragraph (f) states in part that, “...amendments to strike the Title or the Enacting or Resolving Clause of a bill or joint resolution shall be in order only when offered by the principal author of such bill or resolution and upon receiving prior approval from the House Rules Committee....”

History – During consideration of House Bill 1507, Representative Bill Nations, in his capacity as Vice Chair of the Rules Committee, reported to the full House that the Rules Committee recommended that the title be stricken from HB 1507. After announcing the recommendation of the Rules Committee, Representative Nations moved to amend the bill by striking the title.

While the author of the bill, Representative Dennis Adkins, did not personally offer the motion to “strike title,” he did not object to Representative Nations offering the motion on his behalf in conjunction with Representative Nations’ announcement of the recommendation of the Rules Committee.

Again, during consideration of House Bill 2108, Representative Bill Nations, in his capacity as Vice Chair of the Rules Committee, reported to the full House that the Rules Committee recommended that the title be stricken from HB 2108. After announcing the recommendation of the Rules Committee, Representative Nations moved to amend the bill by striking the title.

While the author of the bill, Speaker Lance Cargill, did not personally offer the motion

to “strike title,” he did not object to Representative Nations offering the motion on his behalf in conjunction with Representative Nations’ announcement of the recommendation of the Rules Committee.¹

Precedent – It is the precedent of the Oklahoma House of Representatives under the terms of House Rule 8.6(f), that it is permissible for the Vice Chair of the Rules Committee to announce the recommendation of the Rules Committee with regard to allowing an amendment to strike the title from a measure and for the Vice Chair to then offer the actual motion, on behalf of the measure’s author, to strike the title.

8.6 - 2. TITLE OF FLOOR SUBSTITUTE STRICKEN

Rule – House Rule 8.6, paragraph (f) states in part that, “Beginning on the Monday falling two (2) weeks prior to a Third Reading deadline, amendments to strike the Title or the Enacting or Resolving Clause of a bill or joint resolution shall be in order only when offered by the principal author of such bill or resolution and upon receiving prior approval from the House Rules Committee....”

History – Representative Banz, author of House Bill 1441, offered a floor substitute to HB 1441 which included language purporting to strike the title of the bill reported from the Appropriations and Budget Committee.

Representative Wright raised a point of order pursuant to House Rule 8.6(f) that the floor substitute for HB 1441 was out of order because the floor substitute’s title was stricken. The Presiding Officer ruled the

¹ *Okla. H. Jour.*, 877, 897, 51st Leg., 1st Reg. Sess. (March 14, 2007); *Daily H. Sess. Dig. Rec.*, 51st Leg., 1st Reg. Sess. Track 10:04, 6:04-7:19; Track 10:41, 1:11-1:27 (March 14, 2007).

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point not well taken because the measure itself had been reported out of the Appropriations and Budget Committee.²

Precedent – It shall be the ruling of the Chair that House Rule 8.6(f) shall be interpreted to mean that a bill reported to the full House without a title may be amended by a floor amendment which includes language purporting to strike the title of the bill.

Reasoning – Although the amendment’s author, in offering an amendment to strike the title of the bill, did not meet the technical requirements of House Rule 8.6(f), the version of the bill reported from committee did not itself contain a title. As such, no title existed within the bill to be stricken by a floor amendment, thus rendering the language to strike the bill’s title meaningless.

From a practical perspective, no bill reported from the Appropriations and Budget Committee without a title would have been reported as such without the full knowledge and consent of the committee’s chairman. Furthermore, under House Rule 8.6(g), this same chairman has the authority to offer floor amendments to strike the title of measures affecting revenue or appropriations.

Finally, if the chairman saw fit to report the bill out of committee without title, it cannot be said that a floor amendment offered by another member which includes language striking the title of the bill violates the underlying principles represented by the rule. While the Banz floor substitute may appear to have violated the letter of the rule, it did not violate the spirit of House Rule 8.6(f).

² *Okla. H. Jour.*, 794, 51st Leg., 2nd Reg. Sess. (March 12, 2008); *Daily H. Sess. Dig. Rec.*, 51st Leg., 2nd Reg. Sess. Track 10:12, 15:53-18:13 (March 12, 2008).

8.6 - 3. TITLE STRICKEN PRIOR TO FLOOR CONSIDERATION

Rule – House Rule 8.6, paragraphs (e), (f) and (g) states that:

(e) No amendment purporting to strike the Title or the Enacting or Resolving Clause of any bill or joint resolution shall be in order except as provided in subsections (f) and (g) of this section.

(f) Beginning on the Monday falling two (2) weeks prior to a Third Reading deadline, amendments to strike the Title or the Enacting or Resolving Clause of a bill or joint resolution shall be in order only when offered by the principal author of such bill or resolution and upon receiving prior approval from the House Rules Committee. Amendments offered under this subsection shall not be subject to the time constraints mandated by subsections (b) and (c) of this section.

(g) The Chairperson of the Revenue and Taxation Committee and the Chairperson of the Appropriations and Budget Committee shall be permitted to offer amendments to strike the Title or the Enacting or Resolving Clause of measures affecting revenue or appropriations. Amendments offered under this subsection shall not be subject to the time constraints mandated by subsections (b) and (c) of this section.

History – During the author’s presentation of House Bill 3121, Representative Covey requested a ruling of the Chair as to whether or not it was in order for the House to consider HB 3121 with a stricken title under the terms of House Rule 8.6(e), (f) and (g). The Presiding Officer ruled the point not well taken noting that House Rule 8.6 applies solely to floor amendments and

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not to the measure itself and as such, consideration of HB 3121 was in order.³

Ruling – It shall be the ruling of the Chair that House Rule 8.6(e), (f) and (g) are not applicable to a measure itself but apply only to amendments offered to the measure on the House Floor.

8.6 - 4. AMENDMENT LACKING SUBSTANTIVE CHANGE OUT OF ORDER

Rule – House Rule 8.6, paragraph (a) states that, “All House and Senate bills and joint resolutions when initially published on the Floor Calendar shall be subject to amendment beginning at the time of such publishing.”

History – During consideration of Senate Bill 163, Representative Terrill presented a comprehensive amendment, or “floor substitute,” to SB 163 followed by another floor substitute, an amendment to the first main floor amendment offered by Representative Terrill. The amendment to the main amendment contained the same substantive language as the main amendment but included a “preamble” explaining the legislative intent of the constitutional amendment proposed in SB 163.

Although the preambular language, once adopted, would be included in the Oklahoma Session Laws, it would not be included in the substantive language of the Oklahoma Constitution upon adoption of the proposed constitutional amendment by a vote of the people.

Representative Brown raised a point of order as to whether the Terrill amendment to the first floor substitute was in order on

³ *Okla. H. Jour.*, 821, 51st Leg., 2nd Reg. Sess. (March 12, 2008); *Daily H. Sess. Dig. Rec.*, 51st Leg., 2nd Reg. Sess. Track 10:40, 06:10-06:30 (March 12, 2008).

the basis of there being no substantive change in the language between the amendment to the floor substitute and the floor substitute itself.

The Presiding Officer did not rule on Representative Brown’s point of order. He referred to and quoted section 401, paragraph 5 of *Mason’s Manual*⁴ which says:

The presiding officer should never rule an amendment out of order unless certain that it is. In case of doubt the presiding officer should entertain the amendment, subject to the right of a member to raise a point of order, or the presiding officer should submit to the house the question of whether the amendment is in order [emphasis added].

The Presiding Officer exercised the prerogative of the Chair and put the following question to the House for a decision: “Shall the amendment to the amendment be considered a proper amendment?” The House ruled the Terrill amendment to the floor substitute improper upon roll call.⁵

Ruling – It shall be the ruling of the House that an amendment to the main floor amendment containing the same substantive language as the main floor amendment shall be out of order.

⁴ MASON’S MANUAL OF LEGISLATIVE PROCEDURE 274 § 401(5) (National Conference of State Legislatures 2000).

⁵ *Okla. H. Jour.*, 1368, 1369, 51st Leg., 2nd Reg. Sess. (April 23, 2008); *Daily H. Sess. Dig. Rec.*, 51st Leg., 2nd Reg. Sess. Track 10:21, 5:27-51:33 (April 23, 2008).

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8.7 - 1. ADOPTION OF FLOOR SUBSTITUTE PRECLUDES FURTHER AMENDMENT OF A BILL *

Rule – House Rule *8.8 states the following:

- (a) No amendment to any bill or joint resolution on General Order may be scheduled for floor consideration until at least the fourth legislative day after the bill is placed on General Order.*
- (b) Amendments shall be taken up only as sponsors gain recognition from the Speaker to move their adoption.*
- (c) A timely filed amendment to a pending main floor amendment may be received, but until it is disposed of no other motion to amend will be in order except an amendment to that amendment. Amendments to main floor amendments are voted on before the main floor amendments are taken up. Only one amendment to the amendment is in order at a time.*
- (d) The adoption of an amendment to a section shall not preclude further amendment of that section. If a bill is being considered section by section or item by item, only amendments to the section or item under consideration shall be in order.*
- (e) For the purpose of this Rule, an amendment shall be deemed pending only after its author has been recognized by the Speaker and has moved its adoption.*

History - Representative Toure raised a point of order stating that suspension of House Rule *8.7 allowed amendment from the Floor when the measure had not been

* Interpreted Rule 8.8, 50th Leg., this rule was renumbered as Rule 8.7 in House Rules adopted for 51st Leg.

advanced from General Order to Third Reading and that a motion to reconsider is not required.

The Presiding Officer ruled the point not well taken and the motion to suspend House Rule *8.7 and the motion to reconsider adoption of the floor substitute, out of order.⁶

Ruling - It shall be the decision of the Chair that adoption of a floor substitute, a comprehensive amendment, shall upon adoption, preclude further amending of the bill under consideration.

Reasoning - The House adopted a floor substitute amending House Bill 2842. Subsequent to the adoption of the floor substitute, a House member attempted to lodge a motion to suspend House rules to further amend HB 2842. This attempt resulted in guidance from the Chair that such an amendment was out of order but that a motion to reconsider passage of the floor substitute was in order and upon passage of such a motion, a suspension of House rules for further amendment would be in order at that time. The motion to reconsider passage of the floor substitute was made and failed rendering further attempts to amend HB 2842 out of order.

After the failed motion to reconsider, a second attempt to suspend House rules for the purpose of offering further amendments to HB 2842 followed and was again ruled out of order by the Chair. Subsequent to this second attempt, a point of order was raised appealing the ruling of the Chair on the questions of repetitive amendment of the same language in bill or amendment as well as the renewal of a motion to reconsider.

⁶ *Okla. H. Jour.*, 721, 50th Leg., 2nd Reg. Sess. (March 13, 2006); *Daily H. Sess. Dig. Rec.*, 50th Leg., 2nd Reg. Sess. Track 10:50, 44:20-50:29 (March 13, 2006).

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Generally, once language in a bill or main floor amendment has been amended, that same language may not undergo further amendment unless the body assents to a motion to reconsider effectively rescinding the vote by which the amendment was adopted. In other words, the vote by which the amendment was passed is effectively erased thus allowing a Member to propose further amendments aimed at changing language previously amended in a bill or main floor amendment. In this situation, due to the fact that the amendment was a comprehensive floor substitute, the House effectively amended every aspect of HB 2842 rendering it not susceptible to further amendment except upon reconsideration of the adoption of the floor substitute. Once the motion to reconsider failed of adoption, further amendment of the floor substitute or effectively the bill, was not in order.

While House Rule *8.8(d) allows multiple amendments to a section of a bill, House rules do not specifically address the issue of amending the same language over and over. As a result, such a question fell to the Presiding Officer who, as required in House Rule 14.2, determined that such a practice should not be permitted. Besides being proper under House rules, the Chair's ruling clearly is supported by general American parliamentary law. For example, *Mason's Manual* states, "an amendment, once adopted, may not be further amended..."⁷ Earlier parliamentary authorities such as *Cushing's Legislative*

* Rule 8.8, 50th Leg., was renumbered as Rule 8.7 in House Rules adopted for 51st Leg.

⁷ MASON'S MANUAL OF LEGISLATIVE PROCEDURE 272 § 398(1) (National Conference of State Legislatures 2000).

*Assemblies*⁸ and *Reed's Parliamentary Rules*⁹ also articulate this same principle.

In addition to being well grounded in general parliamentary procedure, such a ruling rests squarely on principles that provide the tangible underpinnings of an orderly legislative process. First, when presiding, the Presiding Officer is charged with "enforcing, applying and interpreting"¹⁰ the rules of the House. Secondly, the Presiding Officer must "maintain order and decorum"¹¹ during the daily sessions. Finally, the Speaker must rule on parliamentary questions not provided for in the House rules.¹² If parliamentary law is to be given any credence and if order is the "seminal principle,"¹³ then the Speaker was correct in ruling that once an amendment is adopted, it cannot undergo further amending unless revisited via a successful motion to reconsider.

8.7 - 2. ORDER OF PRESENTATION OF FLOOR AMENDMENTS

Rule – House Rule 8.7, paragraph (a) states that, "The House shall not consider more than one amendment at a time and amendments shall be taken up only as sponsors gain recognition from the Speaker to move their adoption."

History – During consideration of Senate Bill 507, Representative Morrissette raised a point of order questioning the order by which proposed floor amendments came

⁸ CUSHING, LUTHER STEARNS, ELEMENTS OF THE LAW AND PRACTICE OF LEGISLATIVE ASSEMBLIES OF THE UNITED STATES OF AMERICA 518 § 1307 (Little, Brown and Co. 1856).

⁹ REED, THOMAS B., A MANUAL OF GENERAL PARLIAMENTARY LAW 106, 107 § 147 (Rand, McNally & Co., 1898).

¹⁰ *Okla. H. Rules*, § 9.1 (50th Leg.).

¹¹ *Okla. H. Rules*, § 9.2 (50th Leg.).

¹² *Okla. H. Rules*, § 14.2 (50th Leg.).

¹³ *Prec. H. of Rep.*, §6.8(1.), 50th Leg., 1st Reg. Sess., (March 17, 2005)

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before the House for consideration. The Presiding Officer ruled that pursuant to House Rule 8.7(a), the Chair has the prerogative and authority to determine the order of consideration of floor amendments.

Additionally, the Presiding Officer ruled that there is no requirement within House Rule 8.7 that the Chair announce a reason for the order of presentation that he chooses to follow when recognizing authors for presentation of their proposed floor amendments during floor sessions.¹⁴

Ruling – It shall be the decision of the Chair that House Rule 8.7(a) shall be interpreted to mean that the Chair has the prerogative and authority to determine the order of consideration of floor amendments and that the Chair is not required to announce a reason for the order of presentation that he chooses to follow when recognizing the authors for presentation.

8.10 - 1. AVAILABILITY OF FISCAL ANALYSIS FOR FLOOR AMENDMENT

Rule - House Rule 8.10, paragraph (a) states in part that, “All amendments to bills or joint resolutions whose adoption will have a fiscal impact, including the affecting of revenues, expenditures or fiscal liability, shall be accompanied by a written fiscal analysis upon being filed with the Chief Clerk’s Office...”

History - Representative Covey raised a question of the Chair pursuant to House Rule 8.10 as to whether or not it was proper for “Floor Amendment Number One (1),” a floor substitute for House Bill 2749, offered by Representative Winchester, author of HB 2749, to be considered without the availability of a fiscal impact statement created specifically for the floor substitute.

¹⁴ *Okla. H. Jour.*, 1223, 51st Leg., 1st Reg. Sess. (April 17, 2007); *Daily H. Sess. Dig. Rec.*, 51st Leg., 1st Reg. Sess. Track 10:22, 21:26-27:20 (April 17, 2007).

According to Representative Winchester, the floor substitute to HB 2749 contained only one substantive change from the version of the bill reported from committee. She stated that the change involved changing the composition of a “taskforce” proposed within the legislation. Although a proper fiscal analysis was created for the introduced version of the bill, Representative Winchester did not file an updated fiscal analysis specific to the floor substitute when she filed the floor substitute with the Office of the Chief Clerk.

When asked directly by the Presiding Officer whether or not the change contained in the floor substitute resulted in a different fiscal impact for the bill, Representative Winchester stated that it did not.¹⁵

Precedent - Relying upon earlier precedent,¹⁶ the Presiding Officer ruled that the floor substitute was in order for consideration because of the author’s explanation and representation that there was no change in the overall fiscal impact of the proposed legislation as amended by the proposed floor substitute.

8.11 - 1. GERMANENESS OF COMMITTEE AMENDMENTS

Rule – House Rule 8.11, paragraph (a) states in part that, “The House shall not consider any proposed amendment not germane to the subject of the original bill or resolution...”

History – Upon beginning consideration of Senate Bill 507, a point of order was raised by Representative Morrissette requesting a ruling of the Chair as to whether a committee substitute adopted in committee

¹⁵ *Okla. H. Jour.*, 586, 51st Leg., 2nd Reg. Sess. (March 4, 2008); *Daily H. Sess. Dig. Rec.*, 51st Leg., 2nd Reg. Sess. Track 10:20, 2:13-5:37 (March 4, 2008).

¹⁶ *Prec. Okla. H. of Rep.*, § 7.11(2), 51st Leg., 2nd Reg. Sess. (Feb. 19, 2008).

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for SB 507 met the requirements of the germaneness rule named in House Rule 8.11.

The Presiding Officer ruled that while a bill is in committee, it is the committee chair that rules on the germaneness of a committee substitute or other amendments offered in committee. Once the bill comes to the House Floor for consideration, the bill is considered germane and any subsequent questions regarding the germaneness of floor amendments are decided by the Presiding Officer.

Subsequent to the Presiding Officer's ruling, Representative Morrissette appealed the ruling of the Presiding Officer. Upon consideration by the House, the decision of the Presiding Officer was upheld by the House.¹⁷

Ruling – It shall be the ruling of the Chair that House Rule 8.11 shall be interpreted to mean that while a bill is under consideration in committee, it is the committee chairperson that rules upon the germaneness of amendments offered in that committee and that upon presentation of the bill to the full House, the bill, as reported from committee, is considered germane.

8.11 - 2. (2007) GERMANENESS OF MOTION TO REJECT SENATE AMENDMENTS

Rule – House Rule 8.11, paragraph (a) states that, “The House shall not consider

¹⁷ *Okla. H. Jour.*, 1219, 51st Leg., 1st Reg. Sess. (March 17, 2007); *Daily H. Sess. Dig. Rec.*, 51st Leg., 1st Reg. Sess. Track 10:22, 00:10-01:22 (March 17, 2007); affirmed at *Okla. H. Jour.*, 1156, 51st Leg., 2nd Reg. Sess. (April 10, 2008); *Daily H. Sess. Dig. Rec.*, 51st Leg., 2nd Reg. Sess. Track 10:07, 0:00-20:34 (April 10, 2008); *Okla. H. Jour.*, 1212, 51st Leg., 2nd Reg. Sess. (April 15, 2008); *Daily H. Sess. Dig. Rec.*, 51st Leg., 2nd Reg. Sess. Track 10:31, 0:48-3:00 (April 15, 2008).

any proposed amendment not germane to the subject of the original bill or resolution. It shall be the duty of the Presiding Officer to enforce this Rule, regardless of whether or not a point of order is raised by a Member.”

History – Representative Scott Martin, upon obtaining recognition by the Presiding Officer, offered a motion to reject Senate amendments to House Bill 1819. Prior to the Presiding Officer putting the Martin motion to a vote, Representative Wright requested that the Chair rule on the germaneness of the Senate amendments named in the motion to reject.

The Presiding Officer ruled that the question of germaneness was not relevant to consideration of a motion to reject Senate amendments to a House bill. Additionally, the Presiding Officer informed Representative Wright that only upon the presentation of a motion to adopt Senate amendments to a House bill, would the question of germaneness become relevant.¹⁸

Ruling – It shall be the decision of the Chair that House Rule 8.11(a) shall be interpreted to mean that the question of germaneness is not relevant to consideration of a motion to reject Senate amendments to a House bill and that only upon the presentation of a motion to adopt Senate amendments to a House bill, would the question of germaneness become relevant.

8.11 - 3. GERMANENESS OF FLOOR AMENDMENT OFFERED TO PROPOSED CONSTITUTIONAL AMENDMENT

Rule – House Rule 8.11, paragraph (a) states in part that, “The House shall not

¹⁸ *Okla. H. Jour.*, 1450, 51st Leg., 1st Reg. Sess. (May 2, 2007); *Daily H. Sess. Dig. Rec.*, 51st Leg., 1st Reg. Sess. Track 10:29, 2:32-4:13 (May 2, 2007).

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consider any proposed amendment not germane to the subject of the original bill or resolution...”

History – Senate Bill 1987 contained a proposal directing the Secretary of State to refer for a vote of the people a proposal to amend the Oklahoma Constitution to impose term limits on certain executive branch officials elected statewide.

During consideration of SB 1987 on the House Floor, Representative Kiesel offered an amendment which proposed changes to certain election laws contained in Title 26 of the Oklahoma Statutes. The amendment contained language which, after passage by the legislature, would have been required to be presented to the Governor for his approval or disapproval under the requirements of Article VI, Section 11 of the Oklahoma Constitution.

Representative Terrill requested a ruling of the Chair as to whether the Kiesel floor amendment was in order pursuant to House Rule 8.12. The Presiding Officer ruled that Rule 8.12 was not applicable to the question but held that the germaneness rule of House Rule 8.11 did apply. The Presiding Officer ruled that the amendment was not germane because the subject of SB 1987 was a proposed constitutional amendment and the subject of the floor amendment was multiple statutory changes. Representative Kiesel appealed the ruling of the Chair. Upon consideration by the full House, the decision of the Presiding Officer was upheld by the House.¹⁹

Ruling – It shall be the ruling of the Chair that House Rule 8.11 shall be interpreted to mean that a floor amendment containing statutory changes is not germane to the

¹⁹ *Okla. H. Jour.*, 1264, 1265, 51st Leg., 2nd Reg. Sess. (April 16, 2008); *Daily H. Sess. Dig. Rec.*, 51st Leg., 2nd Reg. Sess. Track 10:52, 3:39-17:00 (April 16, 2008).

subject of a bill that contains proposed amendments to the Oklahoma Constitution.

8.11 - 4. (2008) GERMANENESS OF LEGISLATION ITSELF

Rule – Section 8.11, subsection (a) of the House Rules states in relevant part, “The House shall not consider any proposed amendment not germane to the subject of the original bill or resolution...”

History – During consideration of SB 1943 on the House Floor, Representative Morrisette requested a ruling of the Presiding Officer as to whether SB 1943 itself was germane pursuant to House Rules 8.11 and 8.12. The Presiding Officer ruled that House Rule 8.12 did not apply and that since there was no floor amendment under consideration, the point was not well taken under the terms of House Rule 8.11.

Representative Morrisette appealed the ruling of the Chair. Upon consideration by the full House, the decision of the Presiding Officer was upheld by the House.²⁰

Ruling – It shall be the ruling of the Chair that Section 8.11 of House Rules is applicable only to floor amendments under consideration on the House Floor.

8.12 - 1. IMPROPER FLOOR AMENDMENTS

Rule – House Rule 8.12 states in part that, “An amendment is out of order if it is the

²⁰ *Okla. H. Jour.*, 1348, 1349, 51st Leg., 2nd Reg. Sess. (April 22, 2008); *Daily H. Sess. Dig. Rec.*, 51st Leg., 2nd Reg. Sess. Track 10:49, 13:51-24:54 (April 22, 2008); affirmed at *Okla. H. Jour.*, 693, 52nd Leg., 1st Reg. Sess. (March 2, 2009); *Daily H. Sess. Dig. Rec.*, 52nd Leg., 1st Reg. Sess. Track 10:29, 14:56-15:39 (March 2, 2009); *Okla. H. Jour.*, 1272, 52nd Leg., 1st Reg. Sess. (April 13, 2009); *Daily H. Sess. Dig. Rec.*, 52nd Leg., 1st Reg. Sess. Track 10:02, 10:32-11:14 (April 13, 2009).

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principal substance of a bill...that...has not been reported favorably by the committee of reference in either session of the current Legislature and may not be offered to a bill...on the Floor Calendar and under consideration by the House...”

History – During consideration of House Bill 1765, Representative Reynolds offered a timely filed main floor amendment. A point of order was raised by Representative Worthen regarding whether or not the Reynolds amendment was out of order under the terms of House Rule 8.12.

The Presiding Officer ruled that the Worthen point of order was “well taken” and that under the provisions of House Rule 8.12, a floor amendment is out of order if the principal substance of the bill that has received an unfavorable committee report, has been withdrawn by the author or has not been reported favorably from the committee of reference.

After reviewing the bills authored by Representative Reynolds still residing in the standing committees of the House, the Presiding Officer ruled that in the case of the Reynolds amendment, the amendment contained identical language to House Bill 1013 which had not been favorably reported from the Rules Committee. As such, the Reynolds amendment could not be entertained by the House and was out of order.

Subsequent to the Presiding Officer’s ruling, Representative Reynolds indicated a desire to appeal the ruling of the Presiding Officer. Upon consideration by the full House, the decision of the Presiding Officer was upheld by the House.²¹

²¹ *Okla. H. Jour.*, 812, 51st Leg., 1st Reg. Sess. (March 12, 2007); *Daily H. Sess. Dig. Rec.*, 51st Leg., 1st Reg. Sess. Track 11:30, 22:57-33:11 (March 12, 2007).

Ruling – It shall be the decision of the Chair that House Rule 8.12 shall be interpreted to mean that bills not reported out of a House committee cannot be introduced as floor amendments to another bill during either session of the current Legislature.

8.17 - 1. RECOGNITION FOR DEBATE AFTER THIRD READING

Rule – House Rule 8.17 states in part that, “...before the vote is ordered, such question shall be subject to debate. Debate shall be limited to one (1) hour, equally divided between the proponents and opponents of the question...”

History – After Third Reading and preceding final passage of House Bill 1432, Representative Reynolds requested recognition to debate in favor of final passage of the bill. No member requested recognition to present debate in opposition to final passage of HB 1432.

The Presiding Officer ruled that in the absence of a request to debate in opposition to final passage of HB 1432, debate offered only in favor of final passage was waived. Representative Reynolds raised a point of order regarding the Presiding Officer’s ruling.

Upon the Presiding Officer’s ruling Representative Reynolds’ “point not well taken,” Representative Reynolds indicated a desire to appeal the ruling of the Presiding Officer but did not obtain the required seconding of fifteen (15) other House members. The Presiding Officer declared that an appeal was not in order due to the lack of fifteen (15) additional members to second the appeal of the ruling lodged by Representative Reynolds.²²

²² *Okla. H. Jour.*, 585, 51st Leg., 1st Reg. Sess. (Feb. 27, 2007); *Daily H. Sess. Dig. Rec.*, 51st Leg., 1st Reg. Sess. Track 10:09, 3:22-4:30 (Feb. 27, 2007).

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Ruling – It shall be the decision of the Chair that House Rule 8.17 shall be interpreted to mean that in the absence of House members requesting recognition to debate in opposition to final passage of a bill, any debate offered only in favor of final passage is waived.