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8.5 - 1. (2009) REFERENCING DISCUSSION IN COMMITTEE DURING FLOOR CONSIDERATION

Rule – House Rule 8.5, paragraph (b) states:

The Member presenting a bill or joint resolution shall be allowed a reasonable length of time in which to explain same, but said explanations shall not include a discussion of the merits of the proposition.

History – During consideration on General Order of House Joint Resolution 1047, the presiding officer entertained the customarily allowed questions pertaining to House Joint Resolution 1047. Representative Reynolds raised a point of order as to whether it was in order to discuss what had previously occurred during consideration of the measure in committee.

The presiding officer ruled the point not well taken and the questions in order.¹

Ruling – It is the ruling of the Chair that discussions which occurred in committee may properly be referenced during discussion of the measure on General Order.

8.6 - 5. (2009) AMENDMENTS OFFERED TO UNTIMELY FILED MAIN FLOOR AMENDMENTS

Rule – House Rule 8.6, paragraphs (a) through (c) state the following:

(a) All House and Senate bills and joint resolutions when initially published on

¹ *Okla. H. Jour.*, 1529, 52nd Leg., 1st Reg. Sess. (April 23, 2009); *Daily H. Sess. Dig. Rec.*, 52nd Leg., 1st Reg. Sess. Track 10:30, 1:32-2:26 (April 23, 2009).

the Floor Calendar shall be subject to amendment beginning at the time of such publishing.

(b) A main floor amendment must be filed no later than twenty-four (24) hours after a bill or joint resolution is initially published on the Floor Calendar.

(c) An amendment to a main floor amendment must be filed no later than forty-eight (48) hours after a bill or joint resolution is initially published on the Floor Calendar.

History – While considering House Bill 1084, Representative Thomsen moved to suspend House Rule 8.6 for purposes of allowing consideration of an untimely filed amendment. The motion to suspend was adopted upon a roll call vote.

Upon suspension of House Rule 8.6, Representative Brown presented a proposed untimely main amendment to House Bill 1084. Prior to adoption of Representative Brown's main floor amendment, Representative John Wright moved to amend Representative Brown's main floor amendment with another amendment.

Representative Reynolds requested the presiding officer rule on the question of whether Representative Wright's proposed amendment to the untimely main floor amendment was in order without a second motion to suspend House Rules.

The presiding officer ruled that due to the first suspension of House Rules for consideration of the untimely main floor amendment offered by Representative Brown, it was not necessary to suspend the Rules a second time to consider an amendment proposed to an untimely main

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floor amendment under consideration by the House of Representatives.²

Ruling – It shall be the decision of the Chair that upon suspension of House Rules for purposes of considering an untimely filed main floor amendment, an amendment to the main floor amendment then under consideration may be offered without a second vote to suspend House Rules.

Reasoning – Notice, transparency and full consideration are essential to the amendment process; however, the immediate needs of the House as expressed in a successful motion to suspend House Rules to consider an untimely filed amendment may temporarily supersede such considerations. It is up to the House to decide what amendments deserve immediate consideration outside the parameters of House Rule 8.6.

As such, if the House is willing to suspend the Rules to consider an untimely main floor amendment, it is reasonable that the House would consider other amendments offered to that same untimely main floor amendment without having to suspend the Rules a second time.

8.6 - 5.A. (2009) ADDITIONAL UNTIMELY MAIN FLOOR AMENDMENTS OFFERED AFTER FIRST RULE SUSPENSION

Rule – House Rule 8.6, paragraphs (a) through (c) state the following:

² *Okla. H. Jour.*, 558, 52nd Leg., 1st Reg. Sess. (Feb. 18, 2009); *Daily H. Sess. Dig. Rec.*, 52nd Leg., 1st Reg. Sess. Track 10:22, 4:19-5:03 (Feb. 18, 2009).

(a) 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.

(b) A main floor amendment must be filed no later than twenty-four (24) hours after a bill or joint resolution is initially published on the Floor Calendar.

(c) An amendment to a main floor amendment must be filed no later than forty-eight (48) hours after a bill or joint resolution is initially published on the Floor Calendar.

History – During consideration of House Bill 1604, Representative Sullivan moved to suspend House Rule 8.6 for purposes of considering an untimely amendment to Representative Ownbey’s timely filed main floor amendment. The House adopted the motion to suspend upon a roll call vote. Representative Ownbey then offered his untimely amendment to the main amendment. The House adopted the untimely amendment and then adopted the main floor amendment as amended.

Subsequently, Representative Reynolds raised a point of inquiry as to whether, under the motion to suspend House Rules, it would be in order to offer untimely main floor amendments not contemplated by the original motion to suspend House Rules for the purpose of considering the first untimely main floor amendment.

The presiding officer ruled that although a previous ruling permitted consideration of an untimely amendment offered to an untimely main floor amendment then under consideration by the House, it would not be in order to consider additional untimely main floor amendments without voting a second time to suspend House Rules for that purpose.

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Representative Reynolds moved to suspend House Rule 8.6 for the purpose of allowing consideration of an untimely main floor amendment, which failed of adoption upon a roll call vote.³

Ruling – It shall be the decision of the Chair that upon suspension of House Rules for purposes of considering an untimely filed main floor amendment, additional main floor amendments may not be offered without a second vote to suspend House Rules.

Reasoning – Under a ruling earlier this session, it is permissible to spontaneously offer untimely amendments to an untimely main floor amendment then under consideration without an additional motion to suspend House Rules. This means that once the Rules are suspended to allow the untimely main floor amendment, a member may merely lay an amendment to the main amendment on the table without abiding by the amendment process laid out in House Rule 8.6.⁴

In order to preserve the main components of the amendment cycle, namely notice, transparency and full consideration,⁵ one successful motion to suspend House Rules for purposes of offering one untimely filed main floor amendment should not be viewed as *carte blanche* to offer additional untimely main floor amendments on the same bill.

Consideration of other untimely main floor amendments should only arise as a result of individual motions to suspend the Rules for consideration of each individual

³ *Okla. H. Jour.*, 783-785, 52nd Leg., 1st Reg. Sess. (March 4, 2009); *Daily H. Sess. Dig. Rec.*, 52nd Leg., 1st Reg. Sess. Track 10:30, 3:29-4:20 (March 4, 2009).

⁴ *Prec. Okla. H. of Rep.*, § 8.6(5.), 52nd Leg., 1st Reg. Sess. (Feb. 18, 2009).

⁵ *Id.*

untimely main floor amendment or if a member desires to offer multiple untimely main floor amendments, a motion to suspend the Rules for consideration of more than one untimely main floor amendment.

Notice, transparency and full consideration⁶ are so fundamental to the amendment process in the House of Representatives that untimely main amendments should face the threshold requirement of a successful two-thirds (2/3) majority vote prior to consideration.

While the body has complete discretion to choose what ideas are so meritorious as to deserve immediate consideration outside the requirements of House Rule 8.6, the method for allowing such consideration should not automatically throw open the door to other untimely and potentially less meritorious proposals merely because the House voted to suspend the Rules in one instance.

8.6 - 6. (2009) VERBALIZATION OF MOTION TO STRIKE TITLE BY APPROPRIATIONS CHAIR

Rule – House Rule 8.6, paragraph (g) states in part:

The Chairperson of the Appropriations and Budget Committee ...shall be permitted to offer amendments to strike the Title... of measures affecting revenue or appropriations. Amendments offered under this subsection shall not be subject to the time constraints...

History – While House Bill 2027 was under consideration, the author, Representative Steele, moved to amend House Bill 2027 by adopting a floor

⁶ *Id.*

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substitute in lieu of the bill itself. The floor substitute was adopted by the House.

Representative Dorman raised a point of inquiry as to whether the chairperson of the Appropriations and Budget Committee is required to verbalize the motion to strike the title. The Presiding Officer ruled that it has been the practice of the House that when offered by the chairperson, an amendment to strike the title is generally made by unanimous consent and put by the presiding officer without recognizing the chairperson offering the amendment.⁷

Ruling – It shall be the ruling of the Chair that in keeping with the practice of the House, the presiding officer may seek unanimous consent to strike the title on behalf of the Appropriations and Budget chairperson for measures affecting revenue or appropriations.

8.10 - 2. (2009) DETERMINATION OF NEED FOR FISCAL SUMMARY TO ACCOMPANY FLOOR AMENDMENT

Rule – House Rule 8.10, paragraph (a) states in part:

All proposed 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 summary which shall contain a fiscal analysis upon being filed with the Chief Clerk's Office...

History – During consideration of House Bill 1928, Representative Terrill raised a

⁷ *Okla. H. Jour.*, 502, 503, 52nd Leg., 1st Reg. Sess. (Feb. 12, 2009); *Daily H. Sess. Dig. Rec.*, 52nd Leg., 1st Reg. Sess. Track 10:07, 3:31-4:56 (Feb. 12, 2009).

point of order as to whether a fiscal summary had been published for a floor amendment offered by Representative Reynolds. The point of order was raised on the basis of House Rule 8.10.

The presiding officer determined that a fiscal summary had not been published and questioned Representative Reynolds as to whether adoption of the amendment would have a fiscal impact.

Representative Reynolds stated that no fiscal summary was prepared by the fiscal division; therefore, he did not feel that the amendment would have a fiscal impact.

The presiding officer noted that an individual member must request preparation of a fiscal summary and that a summary is not automatically prepared by the fiscal division.

Representative Blackwell then offered a motion to table the Reynolds amendment. Prior to consideration of the motion to table, Representative Terrill pressed his point of order and informed the presiding officer that he believed the amendment, if adopted, would have a fiscal impact.

The presiding officer undertook consideration of the point of order prior to presentation of the motion to table and ruled the point well taken. The presiding officer referred the question of whether the Reynolds amendment would have a fiscal impact to the chairperson of the House Appropriations and Budget Committee.

Upon recognition, the chairperson concurred that the Reynolds amendment would have a fiscal impact. The presiding officer then ruled the Reynolds amendment out of order on the basis of the opinion offered by the chairperson of the House Appropriations and Budget Committee.

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Upon presentation of a second amendment offered by Representative Reynolds, Representative Terrill raised a second point of order questioning whether, under House Rule 8.10, the second Reynolds amendment should be accompanied by a fiscal summary.

As done previously, the presiding officer referred the question to the chairperson of the House Appropriations and Budget Committee. The Appropriations and Budget Chairperson stated that he concurred with the opinion of the chairperson of the House Appropriations and Budget Subcommittee on Public Safety and Judiciary who, as the relevant subcommittee chairperson, believed the Reynolds amendment would have a fiscal impact.

As such, the presiding officer ruled the second Reynolds amendment out of order on the basis of the opinion of the chairperson of the House Appropriations and Budget Committee.⁸

Precedent – It shall be the decision of the Chair that questions arising under House Rule 8.10(a) pertaining to necessity of an accompanying fiscal summary for floor amendments shall be determined on the basis of the informed opinion of the chairperson of the House Appropriations and Budget Committee.

8.11 - 5. (2009) CONTROLLING FACTOR OF GERMANENESS IS SUBJECT MATTER

⁸ *Okla. H. Jour.*, 575, 577, 52nd Leg., 1st Reg. Sess. (Feb. 19, 2009); *Daily H. Sess. Dig. Rec.*, 52nd Leg., 1st Reg. Sess. Track 10:13, 1:25-16:54 (Feb. 19, 2009); affirmed at *Okla. H. Jour.*, 902, 903, 52nd Leg., 1st Reg. Sess. (March 10, 2009); *Daily H. Sess. Dig. Rec.*, 52nd Leg., 1st Reg. Sess. Track 10:66, 3:39-5:37 (March 10, 2009).

Rule – Section 8.11, paragraph (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 – While House Bill 1508 was under consideration, Representative Blackwell moved to amend House Bill 1508 by adopting a floor substitute in lieu of the bill. Representative Thomsen then requested a ruling of the Chair as to whether the subject of the floor substitute was germane to the subject of House Bill 1508.

The presiding officer ruled the floor substitute not germane to the subject of House Bill 1508. Representative Reynolds raised a point of inquiry as to what constitutes germaneness stating that the amendment ruled out of order included language contained in the same title of law as the bill itself.

The presiding officer ruled that subject matter is the determining factor of germaneness and not location in the same title of law. Representative Inman appealed the ruling of the Chair which was upheld upon roll call vote.⁹

Rule – It is the ruling of the Chair that subject matter and not location in the same title of law is the determining factor when deciding whether an amendment is germane to a bill.

⁹ *Okla. H. Jour.*, 911, 912, 52nd Leg., 1st Reg. Sess. (March 11, 2009); *Daily H. Sess. Dig. Rec.*, 52nd Leg., 1st Reg. Sess. Track 10:11, 4:09-12:17 (March 11, 2009).

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8.11 - 6. (2009) METHOD OF DETERMINING GERMANENESS OF FLOOR AMENDMENTS

Rule – House Rule 8.11, paragraph (a) states:

The House shall not consider 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 – During consideration of Senate Bill 269, Representative McCullough moved to amend the bill by inserting a new section. Representative Shelton requested a ruling by the Chair as to whether the subject matter of the amendment was germane to the subject of Senate Bill 269.

In ruling on the question of germaneness, the presiding officer stated that the term “germane”, contained in House Rule 8.11, was to be defined in accordance with the definition of germaneness articulated by the Oklahoma Supreme Court in *Campbell v. White* in 1993 and recently upheld in *Fent v. State ex rel. Office of State Finance*.¹⁰

The presiding officer stated that similar to the definition of germaneness given in *Campbell*, which defined germaneness as the existence of a common, closely akin subject or purpose that is plainly visible between the provisions of a bill, the term “germane”, as contained in House Rule 8.11, would be interpreted to mean the existence of a common, closely akin subject or purpose that is plainly visible

between the provisions of a proposed floor amendment and the provisions of a bill or resolution.

The presiding officer held that when at issue, the question of germaneness would be considered a question of fact which would be determined by the Chair as the trier of fact and that when raised by a member the burden of proof would rest upon the member raising the point of order.

The presiding officer stated that the inquiring member would be expected to immediately and succinctly explain why he or she believed the amendment not to be germane after which, the presiding officer would determine by the preponderance of the evidence whether the amendment was germane to the measure to be amended.

The presiding officer also stated that on the basis of the custom of the body, the only evidence that would be considered in a germaneness inquiry would be the amendment under consideration and the published bill or resolution to be amended, and that while still preserving the Chair’s prerogative, under Rule 8.11, to rule *sua sponte* on questions of germaneness, the Chair would presume that proposed floor amendments are in fact, germane until proven otherwise.

The presiding officer ruled the point well taken and the McCullough amendment not germane to the subject of Senate Bill 269 because the subject of the McCullough amendment, which dealt with the subject of allowing district attorneys or assistant district attorneys to carry concealed weapons, more likely than not did not have a common, closely akin subject or purpose that was plainly visible to the subject matter contained in Senate Bill 269 which dealt with the subject of the

¹⁰ *Campbell v. White* 856 P.2d 255, 260 (1993); *Fent v. State ex rel. Office of State Finance* 184 P.3d 467, 476, 477 (2008).

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composition of a metropolitan area planning commission.¹¹

8.12 - 2. (2009) Floor AMENDMENTS MIRRORING HOUSE BILLS IN POSSESSION OF SENATE

Rule – Section 8.12 of the House Rules states in relevant part:

An amendment is out of order if it is the principal substance of a bill or resolution that has received an unfavorable committee report, has been withdrawn from further consideration by the principal author or 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 or resolution on the Floor Calendar and under consideration by the House...

History – During consideration of Senate Bill 1066, Representative Duncan offered a main floor amendment, a floor substitute, in lieu of the bill itself. Representative Morrissette requested a ruling of the presiding officer as to whether, under the constraints of House Rule 8.12, it was in order to consider the amendment because the language contained in the amendment appeared to be identical to language contained in a

¹¹ *Okla. H. Jour.*, 1286, 52nd Leg., 1st Reg. Sess. (April 13, 2009); *Daily H. Sess. Dig. Rec.*, 52nd Leg., 1st Reg. Sess. Track 10:22, 2:34-6:04 (April 13, 2009). See also *Okla. H. Jour.*, 1876, 52nd Leg., 1st Reg. Sess. (May 21, 2009); *Daily H. Sess. Dig. Rec.*, 52nd Leg., 1st Reg. Sess. Track 10:54, 0:30-5:32 (May 21, 2009). In this instance, a question was raised regarding the germaneness of the conference committee report on House Bill 1121. In ruling on the germaneness of the conference committee report, the presiding officer relied on the same method established in this precedent, *Prec. Okla. H. of Rep.*, § 8.11(6.), 52nd Leg., 1st Reg. Sess. (April 13, 2009).

House measure in possession of the Senate which had not yet been considered by the Senate.

The presiding officer ruled that House Rule 8.12 does not apply to a House measure in possession of the Senate.¹²

Ruling – It is the ruling of the Chair that an amendment consisting of language also contained in a House measure in possession of the Senate is not prohibited by House Rule 8.12.

8.12 - 3. (2009) HOUSE RULE 8.12 NOT APPLICABLE TO CONFERENCE COMMITTEE SUBSTITUTES

Rule – House Rule 8.12 says:

An amendment is out of order if it is the principal substance of a bill or resolution that has received an unfavorable committee report, has been withdrawn from further consideration by the principal author or 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 or resolution on the Floor Calendar and under consideration by the House...

History – During consideration of the Conference Committee Report on House Bill 1121, Representative Reynolds requested a ruling of the Chair as to whether the subject of the conference committee report was limited to matters germane to the subject of House Bill 1121. The presiding officer ruled the point well taken and the conference committee report not germane.

¹² *Okla. H. Jour.*, 1443, 52nd Leg., 1st Reg. Sess. (April 22, 2009); *Daily H. Sess. Dig. Rec.*, 52nd Leg., 1st Reg. Sess. Track 10:26, 12:29-15:09 (April 22, 2009).

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Representative Auffet moved to suspend House Rule 7.15(a) for the purpose of allowing consideration of the Conference Committee Report on House Bill 1121. The motion to suspend the rule prevailed upon a roll call vote. Representative Reynolds then raised a point of inquiry as to whether consideration of the conference committee report was in order since the language contained in the conference committee report appeared to be the same language contained in a measure which did not receive a committee hearing during General Order.

The presiding officer stated that pursuant to House Rule 8.12, a bill not reported from a House committee cannot be presented on the House Floor in the form of a floor amendment during General Order. The presiding officer ruled that a conference committee report is not a floor amendment and is not under consideration on General Order, meaning that language contained in a measure remaining in a House committee may be considered in the form of a conference committee substitute after the General Order deadlines. The presiding officer ruled the point not well taken.¹³

Ruling – It is the decision of the Chair that the prohibitions applicable to floor amendments contained in House Rule 8.12 do not apply to conference committee substitutes.

8.14 – 1. (2009) MOTION TO COMMIT AFTER THIRD READING DEADLINE

Rule – House Rule 8.14 states:

¹³ *Okla. H. Jour.*, 1876, 1877, 52nd Leg., 1st Reg. Sess. (May 21, 2009); *Daily H. Sess. Dig. Rec.*, 52nd Leg., 1st Reg. Sess. Track 10:54, 0:30-11:27 (May 21, 2009).

A motion may be made during the reading or consideration of any bill or joint resolution on General Order to commit the bill to a standing or special committee, with or without instructions.

History – On Thursday, April 30, 2009, Representative Terrill offered a motion to withdraw Senate Bill 483 from the House General Order Calendar and recommit it to the Committee on Public Safety. Representative Brown raised a point of order as to whether the motion to recommit was out of order because it was offered subsequent to the deadline established for “third reading” of bills and joint resolutions in Senate Concurrent Resolution 97 from 2008.

The presiding officer ruled the point not well taken and the motion in order because the measure itself was not before the House for consideration on “third reading” and final passage and therefore not subject to the expired deadline. Representative Dorman appealed the ruling of the presiding officer and the decision of the Chair was upheld upon a roll call vote.¹⁴

Ruling – It is the ruling of the Chair that a motion to recommit is in order after the expiration of third reading deadlines established in consultation between the House of Representatives and the Senate.

¹⁴ *Okla. H. Jour.*, 1571, 1572, 52nd Leg., 1st Reg. Sess. (April 30, 2009); *Daily H. Sess. Dig. Rec.*, 52nd Leg., 1st Reg. Sess. Track 10:07, 0:00-11:21 (April 30, 2009); *Okla. H. Jour.*, 1573, 52nd Leg., 1st Reg. Sess. (April 30, 2009); *Daily H. Sess. Dig. Rec.*, 52nd Leg., 1st Reg. Sess. Track 10:08, 0:00-1:22 (April 30, 2009).

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8.16 - 1.A. (2009) DEBATE IN OPPOSITION PERMITTED EVEN IF DEBATE IN FAVOR NOT REQUESTED*

Rule – House Rule 8.16 states in part:

*On Third Reading or Fourth Reading...
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 – During consideration of Senate Bill 481, Representative Reynolds moved adoption of his main floor amendment to Senate Bill 481. Prior to commencement of debate on the floor amendment, Representative Morgan raised a point of inquiry as to whether it was in order to entertain debate offered solely in opposition to adoption of the amendment since debate in favor of the amendment had not been requested.

The presiding officer clarified that only in the case where no debate in opposition is requested and only debate in favor is requested will the Chair refuse to entertain debate because to do so would be a waste of the House's time.¹⁵

* The ruling reflected in this precedent is based on House Precedent 8.17(1) from 2007. House Precedent 8.17(1) from 2007 interpreted House Rule 8.17 from 2007. The substance and language of House Rule 8.17 from 2007 continues to exist in House Rules for the 52nd Oklahoma Legislature (2009-2010) but is renumbered as House Rule 8.16. To avoid confusion, the above precedent is numbered as 8.16 - 1.A. (2009) to reflect the current House Rule it interprets, Rule 8.16, rather than the rule from 2007 which was identical but numbered as Rule 8.17 and was interpreted by House Precedent 8.17(1) from 2007.

¹⁵ *Okla. H. Jour.*, 1421, 52nd Leg., 1st Reg. Sess. (April 21, 2009); *Daily H. Sess. Dig. Rec.*, 52nd Leg., 1st Reg. Sess. Track 10:41, 6:04-7:06 (April 21, 2009).

Ruling – It is the ruling of the Chair that debate in opposition to a measure will be entertained regardless of whether or not debate in favor of a measure has also been requested.

Reasoning – When presenting a bill or resolution, the author is customarily recognized to offer explanation of the proposed legislation and if other members so desire, to spend significant time taking part in questions and answers to the reasonable satisfaction of the author.

If so little opposition to a proposed measure exists that no member requests debate in opposition, it would be a waste of the body's limited time to allow the author to consume an additional ten (10) minutes debating in favor of the bill or resolution after already having had the opportunity to offer explanation and to respond to follow-on questions.

If, on the other hand, debate in opposition is requested, it would be contrary to the deliberative characteristics of a legislative body to prevent such debate merely because no request was made for debate in favor of the measure. Unless the House takes some affirmative action to curtail debate on a question, within the strictures of House Rules, care should be taken to afford opportunity to express a dissenting point of view.

8.18 - 1. (2009) REQUEST FOR DEBATE IN OPPOSITION TO EMERGENCY CLAUSE MUST GIVE RISE TO ACTUAL DEBATE

Rule – House Rule 8.18 states:

When any bill or joint resolution is being considered on Third Reading or Fourth Reading, and such a bill or joint resolution contains an emergency section, the emergency section shall

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constitute a separate question, and shall be subject to debate.

History – After being read a fourth time, House Bill 1934 was passed by the House. Prior to the vote on the emergency clause, debate was requested on the question of adoption of the emergency clause. Although debate was requested in opposition to adoption of the emergency clause, the requesting member did not in fact offer any debate in opposition but yielded all of his allotted time back to the Chair.

Representative Morgan raised a point of order stating that since there was effectively no debate in opposition to adoption of the emergency clause, the presiding officer should not permit debate in favor of the emergency clause. The presiding officer ruled the point well taken and debate out of order pursuant to House precedent 8.17(1) of 2007.¹⁶

Ruling – It is the ruling of the Chair that a request for debate in opposition to adoption of an emergency clause must in fact give rise to actual debate.

¹⁶ *Okla. H. Jour.*, 1387, 52nd Leg., 1st Reg. Sess. (April 20, 2009); *Daily H. Sess. Dig. Rec.*, 52nd Leg., 1st Reg. Sess. Track 10:23, 40:06-43:24 (April 20, 2009); see also *Okla. H. Rules*, § 8.17 (51st Leg.); *Prec. Okla. H. of Rep.*, § 8.17(1.), 51st Leg., 1st Reg. Sess. (Feb. 27, 2007).