

RULE NINE

CHAMBER PROTOCOL

9.1 - Enforcement of Rules

The Presiding Officer shall enforce, apply and interpret the Rules of the House in all deliberations.

9.2 - Questions of Order and Decorum

(a) While in the Chamber, the Presiding Officer shall preserve order and decorum, shall prevent personal reflections or the impugning of the motive of any Member, and shall confine Members in debate to the question under discussion.

(b) When two (2) or more Members seek recognition at the same time, the Presiding Officer shall name the one entitled to the floor. The Presiding Officer shall not recognize any Member who has risen or remains standing while another Member is speaking. No Member shall be entitled to be recognized to speak unless the member seeks recognition from the Member's own desk.

(c) On all questions relative to the transgression of these Rules, the Presiding Officer shall call the Members to order. In such case the Member so called to order shall sit down and shall not rise except to explain said Member's actions or to proceed in order.

(d) Any Member may rise to a point of order against any other Member when, in the Member's opinion, such Member is proceeding out of order. Such point of order shall be decided by the Presiding Officer without debate.

(e) Any decision by the Speaker on a point of order is subject to an appeal to the House made in a timely manner by any Member should the Member or the House be aggrieved by such decision. Such appeal must be seconded by a minimum of fifteen (15) members. Members desiring to second an appeal shall so signify by rising.

(f) The question of an appeal shall be put in the following form: "The question is, shall the decision of the Presiding Officer be the decision of the House? All those in favor signify by voting 'Aye'; those opposed 'Nay'. The vote is now in progress."

(g) All appeals shall be decided by a recorded vote and without debate, except that the Member taking said appeal shall have five (5) minutes within which to state the reasons for the Member's appeal and the Chair may state the reasons for the Chair's decision.

(h) When a point of order is called, no Member shall approach the Presiding Officer or the Parliamentarian until after the Presiding Officer has ruled. If requested by the Presiding Officer, the Majority Floor Leader may confer with the Presiding Officer regarding matters not pertaining to the point of order.

9.3 - Procedure

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(a) When the ayes and nays are ordered, the Presiding Officer shall put the question in the following form: "All those in favor signify by voting 'Aye'; those opposed 'Nay'. The vote is now in progress."

(b) The House shall not consider in either session of the current Legislature any bill or resolution, whether the same shall have originated in the House or in the Senate, if said bill or resolution has been amended by the insertion of matter not germane to the purpose 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.

9.4 - Debate

(a) Except as otherwise specifically provided in these Rules, when a debatable question is before the House, such debate shall be limited to fifteen (15) minutes, equally divided between the proponents and opponents of the question. Under no circumstances shall a Member debate twice on the same question, nor shall any Member speak longer than ten (10) minutes on the same question.

(b) When a debatable question is before the House, any Member may move that the time for debate on such question be extended. For adoption, such motion need only receive a majority of those voting, a quorum being present.

(c) No Member debating any question shall be interrupted by questions until said Member has finished the Member's remarks, and all time taken in asking and answering questions shall be deducted from the time allotted to said Member.

9.5 - Privileges

(a) Questions and motions of privilege shall be: First, those affecting the rights of the House collectively, its safety, dignity and the integrity of its proceedings; Second, the right, reputation and conduct of its Members individually in their representative capacity only, and shall have precedence over all other questions, except motions to adjourn.

(b) No Member who obtains the floor on a question of personal privilege, or on a question of privileges of the House, shall debate any question, matter, or measure then pending in the House, or in any standing or special committee of the House, nor shall the Member be allowed to yield the floor for questions from other members.

9.6 - Voting and Division

(a) The electronic voting machine shall be used to record the vote whenever the ayes and nays are required or ordered. The machine shall also be used to determine the presence of a quorum, or to determine the numerical count where a division is requested. In the event the machine is not operating properly, all votes and determinations of quorums may be taken by calling the roll. If a Member's voting device is out of order, the Member shall rise and so announce to the Presiding Officer and cast said Member's vote orally prior to the declaration of the result of the vote. Every Member shall vote providing the Member is in the Chamber at the time the vote is in progress.

(b) The electronic voting machine shall be under the control of the Presiding Officer and shall be operated by such Clerk as the Presiding Officer so designates. At a reasonable time prior to any vote being taken, the Presiding Officer shall announce that a vote is about to be taken. When any Member other than the Speaker is presiding, the Member shall direct another Member to activate the roll call switch at said Member's desk in the manner requested by that Member. When the Speaker is not presiding, the Speaker may direct another Member to activate the Speaker's roll call switch in the manner requested by the Speaker. Any Member who is present in the Chamber or is within the view of the Presiding Officer while a vote is in progress may direct another Member to activate said Member's roll call switch in the manner requested by that Member.

(c) Each recorded vote for final passage will be held open for at least two (2) minutes or a shorter time if the Presiding Officer determines that all Members recorded as being present have voted.

(d) When sufficient time has elapsed for each member to vote, the Presiding Officer shall ask if any Members present desire to vote or change their vote. Following such inquiry and before the electronic voting machine is locked, any Member may be excused from voting, pursuant to the provisions of Article V, Section 24, of the Oklahoma Constitution.

(e) The Presiding Officer shall then lock the machine and instruct the Clerk to record the vote. The Clerk shall immediately activate the recording equipment and when the vote is completely recorded, shall advise the Presiding Officer of the result, and the Presiding Officer shall announce the result to the House. No vote may be changed after it has been recorded.

(f) No Member may vote for another member, nor may any person cast a vote for a Member, except as otherwise provided in this rule. A Member who votes for another Member, except as herein provided, may be punished in a manner the House determines. A person voting for a Member, when not authorized by this Rule, shall be barred from the Chamber and may be further punished as the House considers proper.

(g) When a division is requested and ordered, those in the affirmative or the negative, as the case may be, shall cast their votes accordingly and the Clerk shall activate the electronic voting machine so as to reflect the individual ayes and nays and the numerical count, but no permanent record thereof shall be made. When the vote is completed, the

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Clerk shall advise the Presiding Officer of the result, and the Presiding Officer shall announce the result to the House. In the event the machine is not operating properly, those in the affirmative shall arise from their seats and stand until they are counted aloud by the Clerk, then those voting in the negative shall arise and stand until they are counted, and the Presiding Officer shall announce the result.

(h) All votes on final passage of bills and resolutions, or the Emergency Section thereof, shall be by recorded votes. Two of the Members present, a quorum being present, may demand a recorded vote on any proposition, or the Presiding Officer may order a recorded vote upon the Presiding Officer's own initiative. All such recorded votes shall be printed in the House Journal.

(i) After the question has been put, but before the vote commences, any Member may call for a statement of the question.

9.7 - Conduct During Voting

(a) While a vote is in progress and until the completion of a vote, and the announcement of the result, no Member shall be recognized and no other business shall be transacted.

(b) No explanation of any vote shall be permitted while a vote is in progress or after a vote has been cast, except pursuant to Article V, Section 24, of the Oklahoma Constitution.

(c) No Member, House employee or other person shall visit or remain by the Reading Clerk or his or her assistant while a vote is in progress.

9.8 - Previous Question

When a debatable question is before the House, any Member may move the Previous Question. It shall be put in the following form: "The Previous Question has been moved. The Question is, shall the main Question now be put?" If the motion for the Previous Question passes, the main question shall be put immediately and no Member shall be heard to debate it further or seek to amend it.

9.9 – Motion to Advance Question

When a debatable question is before the House, any Member may move to Advance the Question. If the motion to Advance the Question passes, no further amendments to the matter considered shall be allowed and debate shall be limited to fifteen (15) minutes, equally divided between the proponents and opponents of the question, provided that no Member may speak for more than five (5) minutes. After debate is concluded, the question shall be put immediately.

9.10 - Reconsideration

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(a) The final vote on Third Reading or Fourth Reading on any bill or joint resolution, or on the Emergency Section thereof, or the final vote on adoption of a simple or concurrent resolution, may be reconsidered only if a Member serves notice immediately after such final vote is taken, prior to the consideration of any other business, of said Member's intention to present a motion to reconsider such action, and the Presiding Officer shall afford any Member such opportunity prior to proceeding to consideration of any other business. The motion to reconsider a final vote shall not be presented or considered on the same day that such final vote was taken, except by suspension of this section, or as provided in subsection (d) or (e) of this section. Only one (1) reconsideration of the final vote on a bill, resolution or Emergency Section shall be allowed.

(b) For adoption, a motion to reconsider the final vote on a bill, resolution, or Emergency Section must receive a majority of those elected to and constituting the House; provided, however, if such motion to reconsider is not presented and considered within three (3) legislative days after the day on which notice is served, the motion to reconsider shall be considered as having failed of adoption.

(c) Except for the last day of the reconsideration period, the motion to reconsider may be presented only by the Member who served notice, or by another Member with said Member's consent. On the last day of the reconsideration period, any Member may present such motion for consideration.

(d) During the last three (3) days of consideration of bills or joint resolutions pursuant to the time period specified for Third Reading and final passage for House and Senate measures, all motions to reconsider a vote on a bill or joint resolution shall be disposed of before the close of business on the last day of the time period specified for Third Reading and final passage for House and Senate measures.

(e) During the two (2) days prior to the last day of a session, all motions to reconsider a vote on a bill, resolution, or emergency section shall be disposed of before the close of business on the same day that notice was served. On the last day of each session no notice of intention to move to reconsider the final vote on a bill, resolution, or Emergency Section shall be recognized, but any Member may, immediately after a final vote is taken and prior to the consideration of any other business, move to reconsider such final vote, in which event, the motion shall be considered immediately.

(f) Except as otherwise specifically provided in these Rules, no question shall be subject to reconsideration in the House.

9.11 – Reconsideration of Measures Returned by Executive Veto

(a) When a bill or joint resolution is returned to the House because of a veto by the Governor, a motion to vote to override the veto shall be in order at any time.

(b) A motion to vote to override a veto by the Governor is debatable. Such debate shall be limited to thirty (30) minutes, equally divided between the proponents and opponents of the question, provided that no Member may speak for more than ten (10) minutes.

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9.12 - Quorum

(a) If, at any time during the daily sessions of the House, a Member recognized by the Presiding Officer raises a question as to the presence of a quorum, the Presiding Officer shall, without debate, forthwith direct that the electronic voting machine be activated to determine the presence or absence of a quorum, and shall announce the result.

(b) Whenever it shall be ascertained that a quorum is not present, the Members present may, by motion adopted by a majority of those voting, direct the Chief Sergeant at Arms to request and, if necessary, to compel the presence of absent Members, which motion shall be considered without debate. Pending its execution and until a quorum shall be present, no motion or debate, except to adjourn to a day and time certain, shall be in order.