

## Chapter 2 General Floor Procedures for the Senate

### Part 1 General Guidelines

#### **SR4-2-101 Duties of presiding officer.**

The presiding officer may:

- (1) call the Senate to order at the time scheduled for convening and proceed with the daily order of business;
- (2) announce the business before the Senate in the order that it is to be acted upon;
- (3) receive each motion and proposal presented by a senator and submit it to the Senate;
- (4) put to a vote all questions that arise in the course of proceedings and announce the results of the vote;
- (5) enforce the Senate Rules governing debates;
- (6) enforce observance of order and decorum;
- (7) inform the Senate on any point of order or practice;
- (8) receive and announce to the Senate any official messages and communications; and
- (9) sign all bills, resolutions, orders, and proceedings of the Senate.

#### **SR4-2-102 Obtaining the floor.**

- (1) When a senator wishes to be recognized to speak, the senator shall rise and address the presiding officer as:
  - (a) "Mr. (Madam) President"; or
  - (b) "Mr. (Madam) President pro temp."
- (2) If two or more senators rise at the same time to speak, the presiding officer shall decide which senator is to speak first.
- (3) After being recognized, the senator shall confine the senator's remarks to the issue under consideration.

#### **SR4-2-103 Calling a senator to order for violation of a rule.**

- (1) As used in this rule, "censure" means an official reprimand or condemnation, which, if approved by the majority of the Senate, is printed in the journal.
- (2)
  - (a) The presiding officer may call a senator to order for violating any Senate Rule or Joint Rule.
  - (b) A senator may call a senator to order for violating any Senate Rule or Joint Rule by raising a point of order under SR4-2-201.
- (3) If a senator appeals the ruling of the presiding officer, the Senate shall decide the issue after debate.
- (4)
  - (a) If the decision is favorable to the senator who has been called to order, the senator may proceed.
  - (b) If the decision is unfavorable, the senator is subject to censure by the Senate.

**SR4-2-104 Calling a senator to order for conduct in debate.**

- (1)
  - (a) If a senator raises a point of order for words spoken in debate, the senator raising the point of order shall repeat the words to which exception is taken.
  - (b) The secretary of the Senate shall ensure that the words to which exception is taken are recorded in the journal.
- (2) When a point of order for words spoken in debate is made, the senator who spoke the words may not continue to speak until a ruling on the point of order is made, unless the presiding officer grants that senator permission to explain the senator's words.
- (3) A senator may not be called to order or censured for words spoken in debate if there has been intervening business.

**SR4-2-105 Motions in writing.**

- (1) Except as provided in Subsection (2), if a senator requests that a motion be presented in writing, the presiding officer shall require that the maker of the motion prepare and submit a written motion.
- (2) The presiding officer may not require that the following motions be presented in writing:
  - (a) a motion to adjourn;
  - (b) a motion to circle;
  - (c) a motion to table; or
  - (d) a motion to refer to committee.

**Part 2**

**Point of Order and Appeals of the Decision of the Chair**

**SR4-2-201 Point of order.**

- (1)
  - (a) If a senator believes that there has been a breach of order, a breach of rules, or a breach of established parliamentary practice, the senator may rise and, without being recognized, state: "point of order."
  - (b) When a senator raises a point of order:
    - (i) the presiding officer shall interrupt the proceedings;
    - (ii) the senator who has the floor shall yield the floor; and
    - (iii) the presiding officer shall ask the senator raising the point of order to "state your point."
  - (c) When the presiding officer responds "state your point," the senator shall briefly explain the alleged breach to the body, citing to appropriate authority if possible.
- (2)
  - (a) The presiding officer may speak to points of order in preference to other senators rising for that purpose.
  - (b) The presiding officer may:
    - (i) rule on the point of order immediately;
    - (ii) consult with the secretary of the Senate and then rule on the point of order; or
    - (iii) defer the point of order until the presiding officer can research and rule on the point of order.
  - (c)

- (i) Although points of order are generally decided without debate, the presiding officer may submit the point of order to the Senate for decision in doubtful cases.
  - (ii) If submitted to the Senate for decision, a presiding officer shall allow debate or discussion on the point of order by recognizing members of the Senate who wish to speak to the point of order.
  - (iii) A decision by the Senate deciding a point of order is not subject to appeal.
- (3) When the presiding officer rules on the point of order, any senator who disagrees with the presiding officer's decision may appeal that decision to the Senate by following the procedures and requirements of SR4-2-202.

**SR4-2-202 Appeals from the decision of the chair.**

- (1) Although the tradition in the Senate is to give great weight to the rulings of the presiding officer and to not make appeals lightly, a senator who disagrees with a ruling of the presiding officer may appeal that decision to the Senate by rising and, without waiting to be recognized, saying "I appeal the decision of the chair."
- (2) When a senator appeals the decision of the chair, the presiding officer shall clearly state the decision appealed from and may state the reasons for the decision.
- (3)
  - (a) An appeal is debatable.
  - (b) A senator may not speak more than once on the appeal without leave of the Senate.
- (4) The question on appeal is: "Shall the decision of the chair stand as the judgment of the Senate?"
- (5) When a decision of the presiding officer is appealed, a majority vote of the senators present is required to override that decision.
- (6) The secretary of the Senate shall ensure that the appeal and the action of the Senate on the appeal are entered in the journal.