(Start of Belt #10)

I do not remember in the time that I've been here, in the Legislature, where this has become a problem and it seems to me that in the Roberts Rules of Order, the motion to adjourn does take precedence over a Call of the House and I'd be inclined to disagree with that particular portion of this amendment to the Rules.

SENATOR DUIS: If this is the case and with all deference to everyone, if you will make the motion for the amendment, sir, the clerk will accept that and then, we will vote on the amendment prior to voting on the or discussing the Rule any further. Unless there are some other questions, while that is going on, so that we can hasten this along.

SPEAKER: Yes, Senator Fellman asked to be recognized.

SENATOR FELLMAN: Will the Senator yield to a question.

SENATOR DUIS: Yes sir.

SENATOR FELLMAN: I'd like to know the affect of the paragraph "d" which adds that a motion to adjourn shall be in order except when the same is made for dilatory purposes. The reason I ask the question is that I'm familar with dilatory motions in lawsuits and there always is a question raised as to whether or not something is dilatory. And I would presume that the presiding officer would have to rule and it would seem to me that with this particular paragraph "d" added, rather than limiting debate or offering a way to close it, it might merely open the door wide open, for a full--first of all questioning the rule of the chair and then a much fuller and possibly longer and more complex discussion than without this provision because it would always be subject to the question of whether or not something is dilatory. And the chairs ruling, and then debate are further parliamentary maneuver directed against that ruling and I wonder what the purpose and what you feel or what the rules committee feels the affect of this provision would be.

SENATOR DUIS: You've explained it pretty well. It was left--it is there for the discretion of the presiding officer because, if you'll recall, the other day we had a situation where it--we enjoyed the bickering back and forth about the time, you know, and such as this and the chair up there was left in the position of not knowing whether or not this was--whether he had the discretion to shut this off or not and we felt that by putting this in there that he would then have the discretion. And sure, it does. It gives him a little more, I should say a lot more power than what he did have but I think that the Rules Committee thought he should have this power because if he decides to adjourn this group, I'm sure he can probably do it anyway.

SPEAKER: Senator Fellman.

SENATOR FELLMAN: Does this mean, Senator, that if a motion to adjourn is made which cannot be debated that someone else can rise and say this is a dilatory motion and then we get into a fuller debate than we would have had before?

SENATOR DUIS: I think not. I think that by doing this we've left the decision to the chair.

SPEAKER: Any further discussion of the Rule Change. I believe we have an amendment to the Rules Change. Stand by. We have an amendment to the Rules Change, don't we. No. Senator Nore.

SENATOR NORE: Mr. Speaker. Mr. President, excuse me.

SPEAKER: Thank you, sir.