

April 9, 1980

and had no personal knowledge since he was not there. The committee endorses this appointment and I move for the legislative body's acquisition to this appointment.

PRESIDENT: There is a motion on the desk but I am not going to entertain it because we are in the middle of a motion, in the middle of voting on a motion. We have already ceased debate and Senator Marsh has closed and I'm going to rule, Senator Newell, that the motion at this point is out of order.

SENATOR NEWELL: We have not taken a vote, Mr. President.

PRESIDENT: I understand but we are ready to take a vote and there is nothing that can intervene as far as my ruling is concerned. We have ceased debate. No one is given an opportunity to debate after that has happened. So, there is no room for another motion. We are in the middle of voting on a motion right now. That is my ruling. You can appeal. What do you wish to do, Senator Newell? All right, the motion then is the adoption of the committee's report confirming Hal Daub. All those in favor vote aye, opposed vote nay. Record the vote.

CLERK: 34 ayes, 1 nay, Mr. President. Vote appears on pages 1744-45 of the Legislative Journal. Mr. President, I have a motion on the desk. No, 34 ayes, 1 nay on the motion of confirmation.

PRESIDENT: The motion carries. The report is adopted and Hal Daub is confirmed. Now there is a motion on the desk.

CLERK: Mr. President, Senator Newell moves to reconsider the confirmation of Hal Daub to the Environmental Control Council.

PRESIDENT: All right, now that is in order. So at this time the Chair recognizes Senator Newell.

SENATOR NEWELL: It is tough to have to do these things. I mean to have to vote for the confirmation of Hal Daub in order to speak on a reconsideration motion. Mr. President, Mr. President, Mr. President.

PRESIDENT: Yes, Senator Newell.

SENATOR NEWELL: Senator Marsh has asked that I defer this motion until she takes up the other motions because she has to go somewhere. Would that be appropriate for me to delay just a few minutes my reconsideration motion?