

PRESIDENT: Still there, in this particular instance the ruling is made on the basis of the sentence in the middle where it begins in such case the motion to reconsider must be made on the same day the original question was decided or on one of the next 3 legislative days.

SENATOR BARNETT: I did it on the day the vote was taken.

CLERK: Oh, did he?

SENATOR BARNETT: I most certainly did, and I asked you at the time if it was proper that I change my vote for reconsideration, and you said, yes, and the Clerk said right now, this is the time to make that change. If you look in the records or turn the tapes up you will hear me saying that. We willI moved.

PRESIDENT: We will check it out.

CLERK: But you didn't move, did you move?

BARNETT: Yes, I asked you Vince if it was the proper time to change my vote for reconsideration and you said that right now is the proper time and I did that.

PRESIDENT: Chair recognizes Senator Duis.

SENATOR DUIS: Mr. President I think it might help if I could check with Senator Barnett. Your question as to whether or not you can change your vote for reconsideration was made. The question now is did you make a motion at that time for reconsideration. It is the motion that we are speaking too, not the changing of the vote. You see the vote that you made at that time, but I'm not trying to argue the point with you, the only thing I need to know right now, or that they, the chair needs to know is a...did you make a motion to reconsider, the motion to reconsider is what has to be made.

PRESIDENT: Senator Barnett.

SENATOR BARNETT: I would have to answer that by saying that I can not honestly remember if I did that.

SENATOR DUIS: Then if we can check the record, you will know, otherwise it will be necessary to suspend the rules.

SENATOR BARNETT: Senator Duis, and the Chair, I also think that it is a question of formality, because it is going to take me 30 votes anyway.

PRESIDENT: The point Senator Barnett is that you can change your vote for reconsideration. But the point is that unless the Chair has the....

(end belt #2)

(start belt #3)

and the body has that motion, we don't have anything that becomes our property which protects your position on this particular thing as I believe the point that is trying to be made. I believe and I would agree with you to the sense that it is a formality but it is a rather important formality when we don't have the motion and the Journal does not reflect that a motion was made, and therefore that is the