

(Start Belt #6)

SENATOR PROUD: Chaplain, roll call, call for correction of the Journal, petition or memorials, most of the committee hearings and bills on final reading. Now this motion as I read it doesn't fall within any of those.

PRESIDENT: Doesn't fall within the order. The Chair acknowledges that.

SENATOR PROUD: Therefore, we are changing rules. We are suspending rules, but you ruled, as I understand it, with these 25 votes. Now I'd like to get that clarified.

PRESIDENT: Uh huh.

SENATOR PROUD: Why doesn't it take 30 votes?

PRESIDENT: The Chair felt that this was a rearrangement only of the agenda, that it wasn't a changing of the rules. The rules --

SENATOR PROUD: Well, I'm reading from the rules.

PRESIDENT: I know that and the Chair is aware of that also. The Chair is also aware that it takes 25 votes to bind the body to an action here and under these circumstances it was a marginal thing and there are no directions in the rules as to how the Chair should decide if the agenda were to be changed. There isn't any--there isn't any motion, there isn't any instruction and again I rely on the standard rule of the Legislature that 25 votes can bind the body to an action.

SENATOR PROUD: Where's that--where's that found?

PRESIDENT: That's what it takes, the majority of the elected members of this body in order to pass--

SENATOR PROUD: Where is that rule?

PRESIDENT: I'm sorry I don't--I can't cite the rule.

SENATOR PROUD: Is it in the rule book? That it takes 25 votes to bind the body?

PRESIDENT: That's an understood rule.

SENATOR PROUD: What do you mean, an understood rule?

PRESIDENT: Very good. Chair would like to defer to Senator Duis.

SENATOR DUIS: Mr. President, and Mr. Speaker. Mr. Speaker, I'm sure that you're aware that the Chair up there can have any motion he so desires until it's challenged. If you so desire to challenge the ruling of the Chair, then I would suggest you challenge the ruling of the Chair, we have a vote on it, if that carries then we'll go back to the regular agenda.

PRESIDENT: Thank you, Senator Duis.

SENATOR PROUD: Well, I'm not above changing the rules around a little bit at times. What Senator Duis says is absolutely true but I think it's all--also absolutely true that the presiding officer and I would expect me to be challenged the same way if I were presiding, if the presiding officer is not following the rules. There is no rule in this book, I don't believe there is that says it takes 25 votes to bind this body. I just read the rules and the Chair has ruled that it takes 25 votes to suspend the rules. Now that's the ruling of the Chair so I challenge