

March 26, 1974

this, and probably you didn't have any more to do with it than I did, but this rule that allows anyone to go around in this legislature and get sufficient signatures, to without debate to make something a law, by attaining 29 votes precludes anyone from debating the issue, anyone from taking exception and I think that it is a very bad thing for a state that is supposed to be open, and have a so called open meeting when we don't even have them here on the floor in this case. I noticed that it received 29 signatures which is not all so there must have been some which had reservations about it and I take exception to it. I know that I have to have 30 votes and I know that that is quite far out, but I...especially take exception to what I have already stated and I would like to have a little more on this so I think that even though it is a bee today, what could it be tomorrow? I think that this is a very serious thing in the long run.

SENATOR PROUD: Senator of the Rules Committee just buzzed me, Senator Duis.

SENATOR DUIS: Mr. Speaker, I believe that we can solve this situation in as much as this resolution as according to the way that I interpret the rules has no effect. A legislative resolutions are numbered and resolutions if you will turn to page 20 of the book, the only ones that will be voted upon by the legislature are those contained in section 2 and section 3 the one is when it is considered as a bill and takes the entire process. The other one is a study resolution. The rest of the resolutions are as I understand the rules here are not even voted upon by the legislature, they are merely resolutions. In my thought right at the moment here it would be that this particular resolution has no effect. Now, I would suggest and I would like to check with the Clerk of the Legislature and see if he thinks like I do, but may I read to you please if you don't mind. It says right here, Section I, identification resolutions shall be designated, legislative resolution number blank. Resolutions shall be numbered so on and so forth. Section two, when considered as a bill, resolutions shall be considered a...a...with proposed amendments to the state constitution proposed a ratification amendments to the federal constitution or memorialize congress for the purpose of proposing amendments to the United States constitution or the rejection and change alterations amendment or modification of rules under the provisions of Section 84504. Section III, study resolution, resolution that proposes studies and so on and so forth, board, smith and down on the line, chief introducer and so on. Section IV. Only those resolutions classified in or specified in section 2 and 3 of this rules shall be voted upon by the legislature. Should the rules be suspended to permit a vote upon a resolution it shall then be considered adopted by an affirmative vote of the majority of the elected members. So the thought that any other resolution except those in section 2 and 3 would have to have a suspension of the rules.

CLERK: Mr. President, may I make reference to Section V, which provides that the Clerk shall retain the original resolutions on file, and if called for in the resolution they can dispose copies there-of, provided resolutions are not adopted in accordance with section 2, 3, or 4 shall be considered adopted. Only when there should a have been a majority of the elected members sign the said resolution as is the case in this instance.

SENATOR DUIS: The resolution would have been or might have