

June 10, 1995

Memo for Delegate Juan S. Tenorio

From: Howard Willens and Deanne Siemer

Re: Motion to Amend Rules

Under Rule 63(a), a notice of motion to amend the Rules must be given at least five session days before the motion is actually presented on the floor. The motion must be given during a session, and then four more session days must elapse (for a total of five session days) before the vote.

Under Rule 62(a), you can make a motion to suspend the Rules (so that the five-day requirement of Rule 63 no longer applies), and then make the motion to amend the Rules. A motion to suspend the rules requires only one session day's notice. Once the Rules are suspended, the motion to amend the Rules can be voted on immediately.

The next scheduled session day is Thursday, June 15, 1995. On Thursday, sign and hand the attached motion to amend (and the attached motion to suspend, if you decide to use that alternative) to the Convention Secretary before the session and make sure he signs. He keeps the signed copy. (There is no requirement to make copies for the Convention delegates; the signed motions will be attached to the Daily Journal which every delegate will get.)

On Thursday, under #7 on the agenda (Motions and Resolutions), ask for recognition from the President and give the notices as follows:

Under Rule 62(a), I am giving notice of a motion to suspend the rules so that a motion to amend Rule 6 may be considered by the Convention without the five-day notice period provided under Rule 63(a). I will ask the Convention to consider this motion on the next session day.

Under Rule 63(a), I am giving notice of a motion to amend Rule 6 by deleting the first sentence, which requires a 2/3 majority for final votes on amendments.

Written motions have been delivered to the Secretary and will be attached to the Daily Journal for today.

No second is required at this time.

On the next session day, under #8 on the agenda (Unfinished Business), ask for recognition from the President. The motion is:

I move to suspend the Rules in order that the Convention can consider a motion to amend Rule 6 to delete the requirement for a 2/3 majority vote on final amendments. Notice of this motion to suspend was given at the session on Thursday, June 15.

This requires a second. A motion to suspend is passed by a simple majority of the delegates present and voting (Rule 62(b)). The rule on abstentions does not apply.

If the motion to suspend passes, then ask for recognition from the President again for the motion to amend. This is also under #8 on the agenda (Unfinished Business). The motion is:

I move to amend Rule 6 by deleting the first sentence, which requires a 2/3 majority vote on final amendments. Under this amendment, Rule 5, which requires a majority, will then govern all questions before the Convention, including the adoption of proposed amendments on second reading. This amendment would leave the portion of Rule 6 on abstentions in place.

The necessary notice was given at the session on Thursday, June 15, 1995.

This requires a second. A motion to amend is also passed by a simple majority of the delegates present and voting (Rule 63(b)). The rule on abstentions does not apply.

On either motion (to suspend or amend), someone who opposes the motion may make a subsidiary motion which will be considered before your main motion. Under Rule 40(b), the opposition subsidiary motions are:

1. To table (this is an indefinite postponement and requires one day's notice to bring the motion back to the floor)
2. To postpone to a date certain
3. To postpone indefinitely
4. To call for orders of the day (this moves on to #9 and #10 on the agenda without taking any action on the motion)
5. To send to a Committee (this could be sent to the Committee on Organization and Procedures for their review and recommendation)
6. To amend.

Every subsidiary motion can be defeated by a majority vote. Subsidiary motions 1, 2, and 4 are neither debatable nor amendable, which means that if someone makes such a motion, the President must have a vote on it immediately. Subsidiary motions 3 and 5 are debatable but not amendable, which means they can be discussed but no one can offer amendments. Subsidiary motion 6 is both debatable and amendable. (Rule 40(c))

Thursday, June 15, 1995

MOTION TO AMEND CONVENTION RULES

I hereby move to amend Rule 6 of the Convention's Rules by deleting the first sentence, which provides for a 2/3 majority vote on the final vote on amendments.

Delegate JUAN S. TENORIO

Received: _____
Delegate John O. DLR. Gonzales
Convention Secretary

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