

June 19, 1995

Memo for Delegate Marian Aldan-Pierce

From: Howard Willens and Deanne Siemer

Re: Motion to Amend Rules to Change July 10, 1995 Date to June 23, 1995

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.

If you wanted to suspend the rules, you would do the following:

(1) At the session on Monday, June 19, sign and hand the attached motion to amend and the attached motion to suspend to the Convention Secretary before the session begins 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 Monday, 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 52(d) 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 52(d) by changing the July 10, 1995 cut off date for delegate proposals to June 23, 1995.

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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 52(d) to change the July 10, 1995 cut-off date for delegate proposals to June 23, 1995. Notice of this motion to suspend was given at the session on Monday, June 19.

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 52(d) by changing the July 10, 1995 cut-off date for delegate proposals to June 23, 1995. Under this amendment, all delegate proposals would be due by June 23, 1995. Later delegate proposals would require unanimous consent of the Convention. This does not limit the committees in any way in considering various options regardless of whether an option was officially submitted in a delegate proposal.

The necessary notice was given at the session on Monday, June 19, 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.

If the motion to suspend does not pass, then you would need to wait for the fifth session day from the day of notice, and make the same motion.

The rationale supporting the motion to change the cut-off date is as follows:

. There are 480 delegate proposals which have been prepared thus far and about 375 have been introduced.

. The delegates have been working on proposals since mid-April when legal counsel urged us to start thinking about what proposals we wanted to make. Delegates have been working on their proposals for over 60 days.

. The cut-off date does not prevent any committee from considering any option or suggestion. It just stops the requirement that committees deal with every piece of paper that delegates generate as they submit their proposals.

. If we decide now that the cut-off date will be on June 23, 1995, everyone will have plenty of notice to get their proposals in.

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(b))

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MOTION TO SUSPEND CONVENTION RULES

I hereby move to suspend the Convention's Rules so that a motion to amend Rule 52(d) of the Convention's Rules by changing the date July 10, 1995 to June 23, 1995 which is the last day for delegate proposals, may be considered by the Convention without the five-day notice period required under Rule 63.

Delegate MARIAN ALDAN-PIERCE

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

6/19/95

MOTION TO AMEND CONVENTION RULES

I hereby move to amend Rule 52(d) of the Convention's Rules by changing the date July 10, 1995 to the date June 23, 1995 so that the last day on which delegate proposals may be submitted would be June 23, 1995.

Delegate MARIAN ALDAN-PIERCE

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