

PROPOSED AMENDMENTS TO SENATE AND HOUSE RULES 312 AND 317

1 **SECTION 1. AMENDMENT.** Senate Rule 312 is amended:

2 **312. MOTIONS DURING DEBATE.** When a question is under debate, no motion may
3 be received, except to fix the time to which to adjourn; to adjourn; to permit a member to vote;
4 to lay on the table; to move the previous question; to close, limit, or extend debate (which ~~five~~
5 six kinds of motions must be decided without debate); to move to postpone to a day certain; to
6 refer; and to amend. These motions have precedence in the order in which they are named.
7 No motion to postpone to a day certain or to refer, having been decided, may be entertained
8 again on the same day.

9 **SECTION 2. AMENDMENT.** Senate Rule 317 is amended:

10 **317. NONDEBATABLE MOTIONS.** The following motions are not debatable:

- 11 1. Adjournment.
- 12 2. Clincher.
- 13 3. Fix the time of adjournment.
- 14 4. Order of the day.
- 15 5. Reading of papers.
- 16 6. Withdrawal of motion.
- 17 7. Suspension of the rules.
- 18 8. ~~To lay~~ Lay on the table.
- 19 9. Previous question.
- 20 10. Close, limit, or extend debate.
- 21 11. Permit a member to vote.

22 **SECTION 3. AMENDMENT.** House Rule 312 is amended:

23 **312. MOTIONS DURING DEBATE.** When a question is under debate, no motion may
24 be received, except to fix the time to which to adjourn; to adjourn; to permit a member to vote;
25 to lay on the table; to move the previous question; to close, limit, or extend debate (which ~~five~~
26 six kinds of motions must be decided without debate); to move to postpone to a day certain; to
27 refer; and to amend. These motions have precedence in the order in which they are named.

1 No motion to postpone to a day certain or to refer, having been decided, may be entertained
2 again on the same day.

3 **SECTION 4. AMENDMENT.** House Rule 317 is amended:

4 **317. NONDEBATABLE MOTIONS.** The following motions are not debatable:

- 5 1. Adjournment.
- 6 2. Clincher.
- 7 3. Fix the time of adjournment.
- 8 4. Order of the day.
- 9 5. Reading of papers.
- 10 6. Withdrawal of motion.
- 11 7. Suspension of the rules.
- 12 8. ~~To lay~~ Lay on the table.
- 13 9. Previous question.
- 14 10. Close, limit, or extend debate.
- 15 11. Permit a member to vote.

NOTE: This proposed rules amendment is in response to a suggestion that House Rule 312 (Motions During Debate) also should list a motion to allow a member to vote under House Rule 322 (Procedure in Excusing Member From Voting). The location of the proposed amendment follows the approximate order of precedence of motions listed in Section 187 of Mason's Manual of Legislative Procedure.

Senate and House Rules 317 are amended to include the motion to permit a member to vote within the list of nondebatable motions. The listing of the motion to permit a member to vote within the kinds of motions decided without debate recognizes the current provision of Senate and House Rules 322: "Upon motion, the question must be put to the [Senate/House], 'Shall the member, for the reasons stated, be permitted to vote?' which must be decided without debate."