

January 17, 1995

SENATOR CHAMBERS: Now when you used this word "or," it can be considered conjunctive or disjunctive. In the new sentence you say, successive motions to adjourn or recess. Are you trying to make the same statement about both of those words?

SENATOR BROMM: Yes, I believe we are.

SENATOR CHAMBERS: Then when you say successive motion, does it mean that the successive motion has to be a motion to adjourn, then another motion to adjourn, or does it mean a motion to adjourn cannot be followed by a motion to recess?

SENATOR BROMM: I think for dilatory purposes a motion to adjourn cannot be followed by a motion to recess, and vice versa. That is the intent I believe.

SENATOR CHAMBERS: Who makes the determination as to what dilatory shall mean and when a motion of this kind is dilatory?

SENATOR BROMM: The Chair.

SENATOR CHAMBERS: Is that subject to being overruled? We know that...

SENATOR BROMM: I believe...I believe that it is, yeah.

SENATOR CHAMBERS: All right, so if the motion to recess is dilatory, then once the Chair rules that it is out of order, then a motion can be made to overrule the Chair, and that motion can be for a dilatory purpose. Is that true?

SENATOR BROMM: That's true.

SENATOR CHAMBERS: Then if the Chair is not overridden, then that has been intervening business because votes will have been taken, and then another motion to adjourn or whatever can be made. Isn't that true, because it is not successive, there has been intervening business? Isn't that true?

SENATOR BROMM: I would not accede to that point of view. I don't think that's...I don't think that's intervening business in the interpretation that I would see the Chair making.

SENATOR CHAMBERS: No, that is you thinking and that's you