

# State of Wisconsin



## SENATE RULES \*

As last affected by 2001 Senate Resolution 2  
Adopted January 3, 2001

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\* Under Senate Rule 94 (3) (a), a pamphlet of this type will be printed within one week following the adoption of any resolution making significant changes in the senate rules.

The senate rules were last readopted by 1979 Senate Resolution 2 on January 3, 1979. Subsequent changes, enacted by 1979 Senate Resolutions 3 and 4, 1981 Senate Resolutions 2, 19, 22, and 27, 1983 Senate Resolutions 4, 9, 11, and 13, 1985 Senate Resolutions 2 and 6, 1987 Senate Resolutions 2, 3, and 6, 1989 Senate Resolutions 2 and 3, 1991 Senate Resolution 2, 1993 Senate Resolutions 2, 3, and 7, 1995 Senate Resolution 2, 1997 Senate Resolution 2, 1999 Senate Resolution 2, and 2001 Senate Resolution 2 are recorded in the notes following the affected rules.

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# SENATE RULES

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(Adopted January 3, 2001)

## Chapter 1: OFFICERS - ELECTION AND DUTIES

**SENATE RULE 1. President.** (1) The senate shall designate one of its members to serve as president for the legislative biennium.

(2) The president is the senate's presiding officer and shall authenticate by personal signature all of the acts, orders, and proceedings of the senate.

[rn. from S.Rule 2; (title), (1), (2) am. 1979 S.Res. 3]

[(1) am. 1981 S.Res. 27]

[(title) and (1) am. 1985 S.Res. 2]

[(2) am. 2001 S.Res. 2]

**SENATE RULE 1m. Presiding officer; officers subordinate to committee on senate organization.** (1) The presiding officer shall, in general, represent and stand for the senate, declaring its will, and in all things obeying its commands.

(2) Every officer of the senate is subordinate to the committee on senate organization and, in all that relates to the discharge of that officer's several duties, is under the supervision of the committee on senate organization.

[rn. from S.Rule 1 (3); (title) cr., (2) am. 2001 S.Res. 2]

**SENATE RULE 2. Substitute president.** (1) When the president is absent or unable to preside over the senate sitting in session, the president pro tempore may preside and assume all of the duties enumerated under rule 4. The substitution shall not extend beyond adjournment and shall end upon the president's return or the election of a new president.

(2) When the president and president pro tempore are absent or unable to preside, one of the members shall be elected to temporarily perform all of the duties enumerated under rule 4 until the president or president pro tempore returns and is able to preside.

(3) The presiding officer may call any member to the chair, but the substitution shall not extend beyond an adjournment or the return of the president.

[cr. 1979 S.Res. 3]

[(1), (2) am. 1993 S.Res. 3]

[(2) and (3) am. 2001 S.Res. 2]

**SENATE RULE 3. Duties of president pro tempore and majority leader.** When the president is separated by death, resignation, or removal from office, or is otherwise unable to serve, all of the powers and duties of the president not enumerated in rule 4 shall devolve upon the president pro tempore until a president is elected. When both the president and president pro tempore are separated by death, resignation, or removal from office, or are otherwise unable to serve, all of the powers and duties of the president not

enumerated under rule 4 shall devolve upon the majority leader until a president is elected.

[r.cr. 1979 S.Res. 3]  
[am. 1993 S.Res. 3]  
[am. 2001 S.Res. 2]

**SENATE RULE 3m. Voting by presiding officer.** A senator may not be excused from voting on any question by reason of occupying the chair.

[cr. 1979 S.Res. 3]  
[am. 2001 S.Res. 2]

**SENATE RULE 4. Duties of president.** The president shall:

- (1) Open the session, at the time to which adjournment is taken, by taking the chair and calling the members to order.
- (2) Announce the business before the senate in the order in which it is to be acted upon.
- (3) Receive and submit, in the proper manner, all motions and propositions presented by the members.
- (4) Put to vote all questions that are regularly moved, or that necessarily arise in the course of proceedings, and announce the result.
- (5) Restrain the members while engaged in debate, within the rules of order.
- (6) Enforce on all occasions the observance of order and decorum among the members.
- (7) Inform the senate when necessary, or when referred to for that purpose, on any point of order or practice.
- (8) Receive messages and other communications from other branches of the government, and announce them to the senate.
- (10) Refer every notice and report concerning a proposed administrative rule received by him or her under section 227.19 of the statutes to the appropriate standing committee of the senate within 7 working days following receipt, and provide notice to that committee whenever the president is informed that a proposed rule is being withdrawn. The president shall refer any report received from a standing committee that objects to a proposed rule to the joint committee for review of administrative rules.

[(10) cr. 1981 S.Res. 2]  
[(4) and (10) am. 2001 S.Res. 2]

**SENATE RULE 5. Election and duties of chief clerk.** (1) The chief clerk of the senate shall be elected at the commencement of each regular session, to hold office for the full 2-year term of the legislature and until a successor is elected and qualified on the day of convening of the next legislature as established under section 13.02 (1) of the statutes unless removed by death, resignation, or the vote of a majority of the actual present membership of the senate.

- (2) The chief clerk shall:
  - (a) Superintend the recording of the journals of the proceedings.
  - (b) Supervise the engrossing and enrolling of senate proposals by the legislative reference bureau.

(c) Prepare and transmit for reproduction its daily journal after the close of each daily session, and, if so directed by the president or chairperson of the committee on senate organization, on any day on which the senate does not meet.

(d) Ensure that records or papers belonging to the legislature are not removed from the custody of the chief clerk's office except as required in the regular course of business.

(3) The chief clerk shall be responsible for all official acts of the employees assigned to that office, and may designate one of those employees as assistant chief clerk, who shall have general supervision under the direction of the chief clerk and in the absence of the chief clerk shall have all of the powers and duties of the chief clerk.

(4) On the day of convening of the next legislature as established under section 13.02 (1) of the statutes, when the president and assistant majority leader are absent or unable to preside over the senate sitting in session and the senate does not elect a substitute president under rule 2 (2), the chief clerk shall perform all of the duties enumerated under rule 4.

[am.; (4) cr. 1983 S.Res. 4]

[(2)(c) am. 1995 S.Res. 2]

[(2)(b), (c), (d) and (4) am. 2001 S.Res. 2]

**SENATE RULE 6. Election and duties of sergeant at arms.** (1) The sergeant at arms of the senate shall be elected at the commencement of each regular session, to hold office for the full 2-year term of the legislature and until a successor is elected and qualified on the day of convening of the next legislature as established under section 13.02 (1) of the statutes unless removed by death, resignation, or the vote of a majority of the actual present membership of the senate.

(2) The sergeant at arms shall:

(a) Carry out all orders of the senate or its presiding officer.

(b) Perform all the duties that may be assigned to the sergeant connected with the maintenance of decorum and good order in the chamber and in the galleries.

(c) Supervise the coming and going of all persons to and from the chamber.

(d) Enforce the provisions of rule 11 relating to lobbyists and lobbying.

(e) Provide for the prompt delivery of messages from or within the senate.

(f) Ensure that the chamber is properly ventilated and is open for the use of the members as directed by the presiding officer or from one hour preceding any daily session until one hour after that day's adjournment.

(g) Perform all other services pertaining to the office of sergeant at arms.

[(1) am. 1983 S.Res. 4]

## Chapter 2: ORDER AND DECORUM

**SENATE RULE 7. Presiding officer to preserve order; appeal.** (1) The presiding officer shall preserve order and decorum, may speak to points of order in preference to

others, rising for that purpose; and shall decide questions of order, subject to an appeal by a member, on which appeal each member may speak once not to exceed 5 minutes.

(2) Whenever a point of order is raised, the presiding officer may rule thereon forthwith, or may defer the decision not later than the 5th order of business on the 2nd legislative day to provide time for examination of the precedents. Questions not ruled on within the required time shall be decided by a majority of the senate.

(3) Whenever the presiding officer finds it necessary to take a point of order under advisement in order to consult sources of parliamentary law and practice, the presiding officer shall submit the decision in writing, stating the source consulted and the reasons for the decision. The text of the presiding officer's decision shall be spread upon the journal.

(4) On appeal being taken, the question shall be "Shall the decision of the presiding officer stand as the judgment of the senate?", which question, and the action thereon, shall be entered on the journal. The vote is taken by ayes and noes. A tie vote sustains the ruling of the presiding officer.

(5) All points of order raised and the decisions thereon shall be entered in the journal.

[(4) am. 1995 S.Res. 2]

[am. 2001 S.Res. 2]

**SENATE RULE 8. Conduct during floor session.** (1) Members, officers, and employees shall wear appropriate attire while the senate is in session. Appropriate attire for men includes the wearing of a coat.

(2) While the presiding officer is addressing the senate, or submitting a question, a member may not cross the floor or leave the senate. While a member is speaking, a member may not walk between the speaking member and the presiding officer.

(3) A member or other person may not visit or remain by the clerk's table while the ayes and noes are being called. A member may not leave his or her seat or be disturbed by any other person while the ayes and noes are being called.

(4) A member or other person may not, within the bar of the senate, read newspapers or consume food, beverages, or any tobacco products.

(5) A member or other person may not smoke within the bar of the senate, the staff and press lobbies, and the visitors' galleries.

[(2) and (3) am.; (4) r.cr.; (5) cr. 1985 S.Res. 2]

[(1) am. 1995 S.Res. 2]

[am. 2001 S.Res. 2]

**SENATE RULE 11. Who may be admitted to the floor.** (1) Persons of the following classes, and no others, shall be admitted to that portion of the floor of the senate where the members sit in session: the governor, the lieutenant governor, members of the legislature, members of the staff of the sergeant at arms, and designated members of the chief clerk's staff.

(2) Persons of the following classes, and no others, shall be admitted to that portion of the floor of the senate designated as the staff lobby during the session thereof: state officers, employees of either house of the legislature, of legislative committees, and of

legislative service agencies while engaged in the performance of their duties, members of congress, justices of the supreme court, and former members of the legislature.

(3) However, none of those persons in subs. (1) and (2) who are registered as lobbyists or engaged in defeating or promoting any pending legislation have the privilege of the area.

(4) A former senator or other person who is directly or indirectly interested in defeating or promoting any pending legislation, whether registered as a lobbyist or not, does not have the privilege of the floor of the senate at any time.

(5) All accredited correspondents of the news media, who confine themselves to their professional duties, have the privilege of the floor of the senate, except that during the sessions of the senate the privilege extends only to the press lobby.

(6) Persons who are not specified in subs. (1) to (5) may be invited on the floor of the senate by the committee on senate organization.

[(6) am. 1987 S.Res. 2, 1993 S.Res. 3]  
[(2) to (6) am. 2001 S.Res. 2]

**SENATE RULE 12. Privileges of senate to contestants for seats.** Contestants for seats have the privilege of the senate until their respective cases are disposed of; the privilege to extend only so far as access to the chamber, during the time occupied in settling the contest.

[am. 2001 S.Res. 2]

**SENATE RULE 13. Disturbance in lobby.** Whenever any disturbance or disorderly conduct occurs on the senate floor or in the lobby or gallery, the presiding officer may cause the same to be cleared of all persons except members and officers.

[am. 2001 S.Res. 2]

### **Chapter 3: ORDER OF BUSINESS**

**SENATE RULE 14. Hour for meeting.** The senate shall meet at 10 a.m. on Tuesday and Thursday unless a different day or hour is prescribed by a resolution or motion adopted by majority vote.

[am. 2001 S.Res. 2]

**SENATE RULE 15. Roll call, quorum.** Before proceeding to business, the roll of the members shall be called, and the names of those present and those absent shall be entered on the journal. A majority of the membership presently serving must be present to constitute a quorum for the transaction of business; a smaller number, however, can adjourn and may compel the attendance of absent members. When a roll call discloses the lack of a quorum, further business may not be conducted until a quorum is obtained, but the members present may take measures to procure a quorum or may adjourn.

[am. 2001 S.Res. 2]

**SENATE RULE 16. Leave of absence.** Members of the senate shall not be absent from the session during the entire day without first obtaining a leave of absence. Such leave may be granted by a majority vote of the senate at any time.

[am. 2001 S.Res. 2]

**SENATE RULE 17. Order of business.** (1) Following any opening prayer and the pledge of allegiance, the order of business in the senate shall be as follows:

- (a) *First order.* Call of roll.
- (b) *Second order.* Introduction and reference of resolutions and joint resolutions.
- (c) *Third order.* Introduction, first reading, and reference of bills.
- (d) *Fourth order.* Reports of committees.
- (e) *Fifth order.* Petitions and communications.
- (f) *Sixth order.* Advice and consent of the senate.
- (g) *Seventh order.* Referrals and receipt of committee reports concerning proposed administrative rules.
- (h) *Eighth order.* Messages from the assembly.
- (i) *Ninth order.* Special orders.
- (j) *Tenth order.* Consideration of motions and resolutions.
- (k) *Eleventh order.* Second reading and amendment of senate joint resolutions and senate bills.
- (L) *Twelfth order.* Second reading and amendment of assembly joint resolutions and assembly bills.
- (m) *Thirteenth order.* Third reading of joint resolutions and bills.
- (n) *Fourteenth order.* Motions may be offered.
- (o) *Fifteenth order.* Announcements, adjournment honors, and remarks under special privilege.
- (p) *Sixteenth order.* Adjournment.

(2) A proposal or other matter may be made a special order for a specified date and time by the committee on senate organization or by two-thirds of the members present. Once established, a special order can be postponed to a future date or time only by the committee on senate organization or by two-thirds of the members present. When the time for the special order has arrived and the special order is announced by the presiding officer, or attention thereto is called by any member, the special order has precedence over the regular orders of business. Whenever the rules are suspended to advance such proposal or other matter to a subsequent stage, its precedence as a special order continues. Whenever any such special order is under consideration, it shall not be interrupted by the arrival of the time for the consideration of another special order.

(3) Special orders, once established, continue to be special orders, and when laid over under the rules are special orders on their proper calendar, unless otherwise ordered by the senate. Subsequent special orders shall be considered in their chronological order and their priority over regular orders on the calendars remains.

(4) With the prior consent of the majority leader and the minority leader and upon the motion by one of them under any order of business at any time, any member may be

granted the floor for the purpose of introducing former members, state officers, and other persons of unusual achievement as guests of the senate. The member making the introduction shall submit in writing to the chief clerk the names of the guests so introduced.

[(1) r.cr. 1981 S.Res. 2]  
 [(1)(o) am., (1)(p) cr. 1987 S.Res. 2]  
 [(1)(o) am. 1989 S.Res. 3]  
 [(2) am. 1987 S.Res. 3, 1993 S.Res. 3]  
 [(1)(o) am. 1995 S.Res. 2]  
 [(1)(f), (2) and (3) am. 2001 S.Res. 2]

**SENATE RULE 18. Daily calendar.** (1) All proposals, appointments, or other business, referred to a committee and reported by it to the senate or withdrawn from it by the senate, all proposals or amendments received from the assembly for senate concurrence, and all reports from conference committees and veto messages received by the senate, shall be placed in the committee on senate organization. Any such business deposited with the chief clerk on a day when the senate does not meet may be placed in the committee on senate organization immediately, but shall be formally received by the senate on its next meeting day. The committee on senate organization shall establish a calendar, grouping together proposals, appointments, or other business according to similar subjects and in an appropriate order, and in such numbers as to constitute a workable and up-to-date calendar schedule. The committee on senate organization shall place a proposal, appointment, or other business on the calendar when directed to do so by a majority vote of the senate. The chairperson of the committee on senate organization may place a proposal, appointment, or other business that is in the committee on senate organization on a calendar that has been established by the committee.

(2) The sergeant at arms shall distribute a copy of the calendar to all members before the calendar is acted upon. The chairperson of the committee on senate organization shall provide at least 18 hours' notice of other matters to be taken up on the next session day, but the distributed calendar may not be changed within such 18-hour period.

(3) Except as provided in sub. (2), the distributed calendar shall show the business scheduled to be taken up on the current day, organized according to the orders of business established by rule 17 (1). For proposals on 2nd reading, the calendar shall show all pending committee reports.

(4) Unless otherwise ordered, after completion of the 9th order of business of the current calendar day, and before consideration of the 10th and succeeding orders, unfinished calendars shall be taken up and completed.

(5) Every proposal ordered engrossed and read a 3rd time, unless otherwise ordered by the senate, shall be taken up under the 13th order of business on the senate's next business day.

[(1) and (2) am. 1987 S.Res. 2, 1993 S.Res. 3]  
 [(2) and (3) am. 1995 S.Res. 2]  
 [(1), (2), (4) and (5) am. 2001 S.Res. 2]

**SENATE RULE 19. Committee of the whole.** During the consideration of any proposal or other matter, the senate may, on motion, which motion is debatable, resolve itself into a committee of the whole for the consideration of the proposal or other matter. The rules of the senate govern, as far as practicable, the proceedings in committee of the whole, except

that a member may speak more than twice on the same subject; that a call for the ayes and noes or for the previous question cannot be made in the committee; the committee may not recess; and may not postpone to a future time a subject before it for consideration. The committee shall elect one of its members as chairperson of the committee of the whole.

[am. 2001 S.Res. 2]

**SENATE RULE 20. Standing committees of senate.** (1) (a) Except as provided in par. (b), the members of the committee on senate organization are:

1. The majority leader as chairperson.
2. The president.
3. The assistant majority leader.
4. The minority leader.
5. The assistant minority leader.

(b) If the 2 major political parties are represented in the senate by equal membership, the members of the committee on senate organization are:

1. The president.
2. The former majority and minority leaders and former majority and minority assistant leaders.
3. The former minority caucus chairperson.

(c) The other standing committees of the senate shall be created by the committee on senate organization as near to the commencement of the session as possible.

(2) (a) The chairperson of the committee on senate organization, as near to the commencement of the session as possible, shall make and report to the senate all committee appointments of members of the majority and minority parties. The chairperson of the committee on senate organization shall designate a chairperson for each senate committee and joint committee.

(b) With regard to members of any minority party, the appointments shall be based on nominations by the leader of that party.

(c) The majority and minority parties of the senate shall be represented on all senate standing committees and on all joint standing committees on the basis prescribed by the chairperson of the committee on senate organization, but at least in proportion to the representation of the 2 major political parties in the membership of the senate unless, for the senate membership of a joint committee, such proportional representation places the senate majority party in a minority position on the joint committee.

(3) (a) The members of the senate committee for review of administrative rules are the senate members of the statutory joint committee for review of administrative rules.

(b) When the joint committee for review of administrative rules fails to report a proposal referred to it by the senate, the proposal may be referred to the senate by the senate committee for review of administrative rules.

(4) (a) The members of the senate committee on finance are the senate members of the joint committee on finance.

(b) When the joint committee on finance fails to report a proposal referred to it by the senate, the proposal may be returned to the senate by the senate committee on finance.

(5) Each member shall serve on at least one senate or joint standing committee or joint survey committee.

(6) If senate seats are vacant, assignments to standing committees may be reserved for the senators who are to fill the vacancies, or current members may be designated to fill the vacant assignments temporarily in addition to their regular standing committee assignments until the new senators have been elected and qualified.

(7) Whenever any member of the committee on senate organization is disabled and unable to serve, the senate may select a temporary replacement from among those senators of the same party affiliation. The replacement terminates upon the return of the disabled member.

[(1)(a) am., (1)(c) cr. 1993 S.Res. 2]  
 [(1)(a), (c) and (d) am., (1)(b) cr., (1)(e) r.cr. 1993 S.Res. 3]  
 [(2) am. 1979 S.Res. 3, 4; 1981 S.Res. 2, 19, 27;  
 1983 S.Res. 4, 9, 11, 13; 1985 S.Res. 2, 6; 1987  
 S.Res. 2, 6; 1989, 1991, 1993 S.Res. 2; 1993 S.Res. 3]  
 [(3)(a) and (4)(a) am. 1993 S.Res. 3]  
 [(7) cr. 1979 S.Res. 4; am. 1987 S.Res. 2, 1993 S.Res. 3]  
 [(1) and (2) rc. 1995 S.Res. 2]  
 [(1)(b)1., (3) to (7) am. 2001 S.Res. 2]

**SENATE RULE 20m. Committees of conference.** The chairperson of the committee on senate organization shall appoint the senate members of committees of conference.

[cr. 2001 S.Res. 2]

**SENATE RULE 21. Special committees.** All special committees shall be created by the committee on senate organization, designating the number and object, and be appointed by the chairperson of the committee on senate organization. The member first named shall act as chairperson of the special committee.

[am. 1995 S.Res. 2]  
 [am. 2001 S.Res. 2]

**SENATE RULE 22. Advice and consent of the senate.** (1) Whenever the governor or the state superintendent of public instruction submits to the senate a nomination for an appointment as required by law, the president shall refer the nomination to the standing committee that the president deems to be the most appropriate committee to pass upon the qualifications of the candidate. The committee shall report its findings and recommendations to the senate in writing. Nominations by the governor and the state superintendent of public instruction may be considered, and the persons so nominated may with the advice and consent of the senate be appointed, in special as well as in regular sessions.

(2) On the question of the confirmation of appointments by the governor or the state superintendent of public instruction, the vote shall be taken by ayes and noes, which shall be entered upon the journal. The question of confirmation of the appointments is not subject to a motion for reconsideration under rule 67. The senate may, but is not required

to, act upon an appointment resubmitted by the governor or the state superintendent of public instruction when the identical appointment has once been refused confirmation by the senate. The chief clerk shall record the cumulative status of all appointments in the bulletin of proceedings.

[(2) am. 1995 S.Res. 2]  
[am. 2001 S.Res. 2]

**SENATE RULE 23. Committee not to be absent.** Members of a committee, except a conference committee, may not be absent by reason of their appointment during the sitting of the senate, without special leave.

[am. 2001 S.Res. 2]

**SENATE RULE 24. Committee quorum; subcommittees.** A majority of any committee constitutes a quorum for the transaction of business. Solely for the purpose of determining a quorum of a committee necessary to hold a public hearing, a member who is connected to the hearing by means of a 2-way, audiovisual transmission is considered present. Subcommittees may be appointed to take charge of any part of the committee's business and to report to the committee. Motions to reconsider may be made in committee, before the papers are reported to the senate. Rereference gives the committee full power to act without reconsidering its former action.

[am. 1997 S.Res.2]  
[am. 2001 S.Res. 2]

**SENATE RULE 25. Business in committees; notice of meeting.** (1) A chairperson who determines to hold a hearing shall schedule the hearing as early in the session as practicable. The day, hour, and place of hearing before any committee shall be posted on the bulletin board of each house, and such notice shall state the number, author, and relating clause of the proposal to be considered. Whenever a scheduled hearing is canceled, the chairperson shall immediately notify the chief clerk and post cancellation notices on the bulletin boards of each house.

(2) Whenever a proposal or other matter has been referred to committee, the proposal or other matter is within the sole jurisdiction of the majority of the committee. A directive with respect to the committee's action thereon, other than a motion to withdraw from the committee, is not in order.

[(1) am. 1995 S.Res. 2]  
[am. 2001 S.Res. 2]

**SENATE RULE 26. Schedule of committee activities.** (1) On or before Monday noon of each week the chairperson of each senate committee shall file with the chief clerk a list of the public hearings before that committee which will be held during the following week. The list shall be reproduced in full in the weekly schedule of committee activities. The chairperson of any senate committee may file notice of hearing on or before Monday noon of the 2nd week before the week in which the public hearing is scheduled so as to post advance notice of the hearing.

(2) Notwithstanding sub. (1), the cochairpersons of the joint committee on finance may announce that the committee will hold a public hearing on appropriate portions of the executive budget bill during the week following the governor's budget message.

[(1) am. 1995 S.Res. 2]  
[(1) am. 2001 S.Res. 2]

SENATE RULE 27. **Committee reports.** (1) The chairperson of the committee to which any bill is referred shall report in concise form the action of the committee and the date thereof, and shall authenticate the same by personal signature, e.g.:

The committee on ..... reports and recommends:

Senate Bill 24

AN ACT (relating clause)

Passage: Ayes (3), Senators ..... ; Noes (1), Senator ..... ; Absent or not voting (1), Senator .....

Senate Bill 26

AN ACT (relating clause)

Adoption of Senate Amendment 1: Ayes (5), Senators ..... ; Noes (0); Absent or not voting (0).

Passage as amended: Ayes (4), Senators ..... ; Noes (1), Senator ..... ; Absent or not voting (0).

Senate Bill 28

AN ACT (relating clause)

Adoption of Senate Substitute Amendment 1: Ayes (3), Senators ..... ; Noes (2), Senators ..... ; Absent or not voting (0).

Passage as amended: Ayes (2), Senators ..... ; Noes (2), Senators ..... ; Absent or not voting (1), Senator ..... Reported without recommendation.

Senate Bill 30

AN ACT (relating clause)

Indefinite postponement: Ayes (5), Senators ..... ; Noes (0); Absent or not voting (0).

Senate Bill ..... (LRB- ..... / .....

AN ACT (relating clause)

Introduction: Ayes (4), Senators ..... ; Noes (1), Senator ..... ; Absent or not voting (0).

Assembly Bill 32

AN ACT (relating clause)

Concurrence: Ayes (4), Senators ..... ; Noes (0); Absent or not voting (1), Senator .....

Assembly Bill 34

AN ACT (relating clause)

Nonconcurrency: Ayes (3), Senators ..... , ..... , ..... ; Noes (0); Absent or not voting (2), Senators ..... and .....

..... Chairperson

(2) Each committee to which a proposed administrative rule is referred under rule 4 (10) shall submit a report within the review period specified in section 227.19 (4) (b) of the statutes in the form specified in this rule, authenticated by the personal signature of the chairperson or cochairpersons. Whenever a committee schedules a public hearing or a meeting with an agency representative concerning a proposed rule, or whenever modifications to a proposed rule are agreed to be made or received, the committee shall submit an interim report. The form of the report is as follows:

(a) For standing committees:

The committee on ..... reports [and recommends]:

Clearinghouse Order 81-1 A PROPOSED ORDER of the .... (name of agency) relating to rules concerning ....

PUBLIC HEARING SCHEDULED

(list date, time and place of public hearing)

Clearinghouse Order 81-2 A PROPOSED ORDER of the .... (name of agency) relating to rules concerning ....

MEETING WITH AGENCY REPRESENTATIVE SCHEDULED

(list date, time and place of meeting)

Clearinghouse Order 81-3 A PROPOSED ORDER of the .... (name of agency) relating to rules concerning ....

MODIFICATIONS TO BE MADE BY AGENCY

Clearinghouse Order 81-4 A PROPOSED ORDER of the .... (name of agency) relating to rules concerning ....

MODIFICATIONS RECEIVED FROM AGENCY

Clearinghouse Order 81-5 A PROPOSED ORDER of the .... (name of agency) relating to rules concerning ....

NO ACTION TAKEN

Clearinghouse Order 81-6 A PROPOSED ORDER of the .... (name of agency) relating to rules concerning ....

OBJECTION: AYES 5, NOES 1, ABSENT 0

Ayes: (5) Senators ....., ....., ....., ....., .....

Noes: (1) Senator ....

Absent: (0) None

Clearinghouse Order 81-7 A PROPOSED ORDER of the ... (name of agency) relating to rules concerning ....

NO OBJECTION: AYES 5, NOES 1, ABSENT 0

Ayes: (5) Senators ....., ....., ....., ....., .....

Noes: (1) Senator ....

Absent: (0) None

.....

Chairperson

(b) For the joint committee for review of administrative rules:

The joint committee for review of administrative rules reports [and recommends]:

Clearinghouse Order 81-8 A PROPOSED ORDER of the ... (name of agency) relating to rules concerning ....

OBJECTION: AYES 9, NOES 1, ABSENT 0

Ayes: (9) Senators ....., ....., ....., ....., .....

Representatives ....., ....., ....., .....

Noes: (1) Representative .....

Absent: (0) None

Clearinghouse Order 81-9 A PROPOSED ORDER of the ... (name of agency) relating to rules concerning ....

NONCONCURRENCE IN OBJECTION: AYES 9, NOES 1, ABSENT 0

Ayes: (9) Senators ....., ....., ....., ....., .....

Representatives ....., ....., ....., .....

Noes: (1) Representative .....

Absent: (0) None

.....

.....

Cochairpersons

(3) Any amendment or substitute amendment, recommended by the committee for rejection, shall not be reported to the senate. Any such amendment may, upon motion and a majority vote, be revived while the proposal is still in the amendable stage.

(4) (a) A committee may report out a proposal or appointment without recommendation only if the vote is tied. The committee report shall indicate the actual numerical vote on the motion on which the recommendation is based.

(b) Notwithstanding par. (a), the chief clerk shall record in the journal that a bill is reported without recommendation whenever the bill is withdrawn from committee under rule 18 or 41 (1) (d).

(5) Whenever a proposal is reported by or withdrawn from committee, all amendments or substitute amendments to the proposal shall remain in the jacket envelope regardless of the committee's action thereon.

[(2), (4)(b) and (6) cr., (3), (4)(a) and (5) rn., 1981 S.Res. 2]  
[(2), (4) and (5) am. 2001 S.Res. 2]

**SENATE RULE 28. Minority reports.** Any member or members dissenting from a report of a committee may make a separate report stating the reasons and conclusions; and all reports, if decorous in language and respectful to the senate, shall be entered at length on the journal. Any minority report shall be filed on the same or the next legislative day as the majority report or recommendation.

[am. 2001 S.Res. 2]

#### Chapter 4: PROPOSALS — PROCEDURE

**SENATE RULE 29. Copies of proposals.** Copies of all proposals to be introduced or offered shall be presented by the primary author to the chief clerk, enclosed in a jacket envelope as provided in rule 30.

[am. 1991 S.Res. 2]

[am. 1995 S.Res. 2]

[am. 2001 S.Res. 2]

**SENATE RULE 30. Filing of bills, etc.** (1) The legislative reference bureau shall provide jacket envelopes of a suitable size to hold any proposal and the papers pertaining thereto, respectively, without folding or rolling. The clerk shall not file any paper for any purpose, the cover of which has been either folded or rolled. The jacket envelopes shall be distinguished from those of the assembly by color.

(2) The legislative reference bureau shall enter the relating clause and drafting number of the proposal on the envelope, and the clerk shall enter the proposal number, the date on which it is introduced or offered, the name of the member or committee introducing or offering it, and the name of the committee of reference in the history file for the proposal. Only those documents specified by the chief clerk may be placed in the envelope.

(3) (intro.) The chief clerk shall also enter in the history file for the proposal:

(a) The actual date of each public hearing on the proposal.

(b) All motions and the disposition thereof.

(c) The date, and the resolution number, if any, of a request for an opinion of the attorney general on the proposal and the date on which the opinion was returned.

- (d) The reproduction of a proposal with all adopted amendments engrossed therein.
- (e) Any clerical correction of the proposal made as authorized by rule 31.

[(1) am. 1991 S.Res. 2]

[(1), (2), (3) (intro.) and (d) am. 1995 S.Res. 2]

[(1), (2) and (3) am. 2001 S.Res. 2]

**SENATE RULE 31. Clerical corrections to bills.** (1) Minor clerical errors in any proposal, such as errors in orthography or grammar, or the use of one word for another, such as "affect" for "effect," wrong numbering or references, whether the errors occur in the original bill or in any amendment thereto, shall be corrected by the chief clerk.

(2) The chief clerk shall insert the enacting or usual enabling clause in any bill before its passage if the same has been omitted. When necessary, the chief clerk shall correct the title of any bill so that the title will show the sections affected, the subject to which the bill relates, and the making of an appropriation, if such is made by the bill.

(3) The chief clerk shall enter any corrections made by the clerk under this rule in the journal.

(4) The current edition of Webster's New International Dictionary is the standard.

[(3) am. 1995 S.Res. 2]

[(1), (2) and (4) am. 2001 S.Res. 2]

**SENATE RULE 32. Reference to proposals and other matters.** (1) When first considered and thereafter each time that a proposal is considered after business relating to another subject has intervened, it shall be identified in the journal by number and relating clause. Thereafter all reference to any proposal or petition either in the journal, or messages shall be by number only, except in the journal where the ayes and noes are entered. The chief clerk shall read the relating clauses except when the senate directs otherwise, except that in messages of approval of bills by the governor the chief clerk shall read the bill number only unless a member requests the relating clause to be read.

(2) No later than one-half hour following the adjournment of each day's session, members may submit to the chief clerk in writing a listing of visitors from their districts who witnessed a part of the day's session. The list, together with the record of the guests introduced on that day under rule 17 (4), shall be entered at the end of the day's journal.

[(1) and (2) am. 1995 S.Res. 2]

[am. 2001 S.Res. 2]

**SENATE RULE 33. Introduction or offering of new proposals; admissibility of identical proposals; admissibility of resolutions in special session.** (1) Any member may introduce or offer new proposals in accordance with rule 46 (1). Before introducing or offering a new proposal to the senate, the member shall cause the legislative reference bureau to prepare the proposal in the proper form, and with the requisite number of copies for introduction or offering. A proposal may not be received if it contains handwritten changes in the copies prepared by the legislative reference bureau.

(2) A proposal identical with one already rejected may not be introduced or offered. However, an assembly bill or joint resolution that is identical to a senate bill or joint resolution previously rejected by the senate or any bill repealing a former act of the same session may be introduced.

(3) Resolutions offering commendations, congratulations, or condolences, memorializing congress or an individual, or affecting senate or legislative rules or

procedures are declared not to be within the meaning of the term "business" under the constitutional provision limiting the matters to be considered during special sessions to those enumerated in the governor's call for a special session.

[(3) am. 1995 S.Res. 2]  
[am. 2001 S.Res. 2]

**SENATE RULE 34. Proposals to be on file one day before action.** (1) All bills and joint resolutions, and all resolutions except those privileged for immediate consideration under rule 69, shall, after being distributed, lay over one day before being considered.

(2) The requirement for a one-day layover does not apply to amendments, but copies of the full text of each amendment shall be distributed to the members before adoption of the amendment.

(3) Reading at length is required for resolutions privileged under rule 69 and for any governor's veto message unless copies of the full text of the documents have been distributed to the members.

(4) Any proposal for a certificate under joint rule 7 shall, when received by the senate and whether originating in this house or in the assembly, be laid aside to allow time to examine the proposal for its appropriateness under joint rule 7 (1) and (2). Upon approval by the president and the chief clerk, the proposals are deemed approved by the senate and shall be so recorded in the journal. If the president or chief clerk refuses to approve a proposal for a certificate, the committee on senate organization may require the president and chief clerk to approve it. A written committee report is not necessary.

[(1), (2) and (3) am. 1995 S.Res. 2]  
[(2) to (4) am. 2001 S.Res. 2]

**SENATE RULE 35. Three separate readings.** Every bill, and every joint resolution proposing an amendment to the constitution, shall receive 3 separate readings by relating clause previous to its passage except where otherwise provided, but shall not receive 2 readings on the same day.

[am. 1995 S.Res. 2]

**SENATE RULE 36. First reading; reference to committee.** (1) On the first reading, every bill requiring 3 readings under rule 35 and all resolutions not privileged by rule 69 shall be referred to the appropriate committee. The appropriate committee shall be determined by the president under rule 46 and shall be announced by the chief clerk under the proper order of business. This rule applies to proposals originating in either house.

(1m) (a) On any legislative day when a report, showing the number and relating clause of proposals offered for introduction together with the president's referral, has been provided to the members prior to the 2nd order of business, such provision shall serve as the first reading and the announcement of the referral of such proposals, and the content of the report shall be entered in the daily journal under the appropriate order of business. Rereferral under this rule may be made at any time, but may not be used to satisfy section 13.093 (1) of the statutes.

(b) Whenever the introduction and referral of a senate proposal or the receipt and referral of an assembly proposal occurs on a day on which the senate does not meet, the chief clerk shall record in the journal the appropriate information concerning the proposal and such recording shall constitute the proposal's first reading.

(2) (a) All bills introduced in the senate which by any statute require reference to a particular committee shall be so referred upon first reading and all assembly bills when received from the assembly shall be so referred upon first reading except where the assembly record on the bill discloses that the statutory requirement has been satisfied by reference to the committee in the assembly.

(b) Only one such reference is required under this rule and the adoption of an amendment does not require rereference, but such rereference may be ordered by the senate at any time before passage or concurrence.

(c) Notwithstanding par. (a), the president may refer any bill that pertains only incidentally to a matter of concern to a joint survey committee directly to the committee appropriate to the major substance of that bill, and in that case shall direct the appropriate joint survey committee to prepare its report on the bill while that bill is in the possession of the other committee. This rule does not suspend the requirement that the report of the appropriate joint survey committee must be received before the bill is given its 2nd reading.

(2m) Bills referred to a statutory joint survey committee shall, upon report by that committee, be referred by the president to the appropriate standing committee of the senate.

(3) Whenever a proposal or other matter is referred to a special committee and the special committee makes its report thereon, the referral and report have the same effect as a reference to and a report by a standing committee.

[(2) (c) cr. 1981 S.Res. 22]

[(1m) and (2m) cr., am. 2001 S.Res. 2]

**SENATE RULE 37. Second reading; ordering to a 3rd reading.** (1) Before a bill, or a joint resolution proposing an amendment to the constitution, is amended or ordered to a 3rd reading it shall be read a 2nd time.

(2) All amendments to the bill shall be retained in the original bill jacket.

(3) Amendments to a substitute already adopted are in order before the bill or resolution is ordered engrossed and read a 3rd time without reconsideration of the adoption of the substitute.

[(3) am. 2001 S.Res. 2]

**SENATE RULE 38. Third reading; question.** (1) Upon the 3rd reading of the bill the question is stated thus: "This bill having been read 3 separate times, the question is, "Shall the bill pass' or "Shall the bill be concurred in'," as the case may be, or other appropriate language may be used. A proposal on the calendar for 3rd reading is not subject to amendment but it may, on motion or by unanimous consent be referred back to 2nd reading for the consideration of proposed amendments. Such a motion requires a majority vote and is debatable.

(2) The position of a proposal on the calendar for 3rd reading is subject to removal from that position if such removal is necessitated by a motion for reconsideration that is pending or decided under rule 67, but if the motion is negatively decided before the proposal is reached for consideration under that order, the position of the proposal under the order remains unchanged.

[am. 2001 S.Res. 2]

**SENATE RULE 39. Minimum special quorum.** On the question on proposals ready for a 3rd reading in cases where a minimum special quorum is required by constitution, statutes, rules, or otherwise, and when there are permanent vacancies in the senate, the membership presently serving is the basis for determining such minimum special quorum.

[am. 2001 S.Res. 2]

**SENATE RULE 40. Bill amended on 3rd reading to be reengrossed.** If a senate proposal ordered engrossed and read a 3rd time is amended or otherwise changed it shall be reengrossed before being read a 3rd time. Any senate proposal that passed the senate with amendments shall be engrossed under the supervision of the chief clerk before being messaged to the assembly. However, if the amendment is an unamended substitute, the original substitute is the bill.

[am. 2001 S.Res. 2]

**SENATE RULE 41. Rereference in order; withdrawing from committee.** (1) (a) Any proposal or other matter may be rereferred at any time previous to its passage, except that a motion to withdraw from committee may not take effect before a committee hearing if a hearing has been scheduled when the motion to withdraw is made during the week in which the proposal or other matter is scheduled for a public hearing.

(b) A motion to rerefer or withdraw is in order, but the question is divisible, and the senate having once refused to rerefer or withdraw a proposal or other matter from committee, any subsequent motion to rerefer or withdraw shall require a suspension of the rules.

(c) A motion to withdraw a matter from the committee on senate organization shall, if approved, place the matter on the calendar. A motion to withdraw a matter from any other committee shall, if approved, place the matter in the committee on senate organization unless the senate rerefers the matter to a different committee.

(d) Whenever a bill is introduced in the senate or assembly under section 227.19 (5) (e) or 227.26 (2) (f) of the statutes, the bill is considered reported without recommendation and shall be placed before the committee on senate organization if a report is not received from the standing committee within 30 days after the date of referral. This paragraph does not apply if the bill is introduced within 30 days after the time at which further proposals may not be introduced in the regular session under joint rule 83 (2).

(e) During any interim period between regularly scheduled floorperiods, if the committee on senate organization receives a standing committee's report on a bill that by statute requires review by the joint committee on finance before being passed, the committee on senate organization may, on any day of the interim, rerefer that bill to the joint committee on finance and, in that case, shall direct the chief clerk to record the rereferral by an appropriate entry in the journal.

(2) Reference to committee is not in order after a proposal has been passed or indefinitely postponed or finally disposed of by any action equivalent thereto. Questions of reconsideration, concurrence in amendments of the other house, or executive vetoes may be placed on the table, but shall not be referred to committee.

(3) The legislative council is not a legislative committee within the meaning of this rule and reference of proposals thereto for recommendation as in the case of standing or special committees is not in order.

[(1)(d) cr. 1981 S.Res. 2]

[(1)(c) and (d) am. 1987 S.Res. 2, 1993 S.Res. 3]

[(1)(e) cr. 1997 S.Res. 2]

[(1)(a), (b) and (d), (2) and (3) am. 2001 S.Res. 2]

**SENATE RULE 42. Messaging to the assembly; proposals held during reconsideration period.** (1) Every bill or joint resolution upon which such action has been taken that it is next to be messaged to the assembly shall be so messaged by the chief clerk, but shall be held in the chief clerk's office until the time for reconsideration of the bill or joint resolution has expired. If the rules have been suspended for immediate messaging, the chief clerk shall enter the action in the history file for the bill or joint resolution. Every privileged joint resolution shall be messaged immediately unless it is otherwise ordered by the senate.

(2) A bill or joint resolution that has been ordered immediately messaged to the assembly by the suspension of this rule is subject to further action by the senate while the bill or joint resolution is in actual possession of the senate. The further action is contingent upon a motion to rescind the action of ordering its immediate messaging being decided by a two-thirds vote.

[(1) am. 1995 S.Res. 2]

[am. 2001 S.Res. 2]

**SENATE RULE 43. Enrolling bills and joint resolutions.** Promptly after a senate bill has passed both houses, and before it is presented to the governor for approval, the chief clerk shall deliver the jacket to the legislative reference bureau, which shall enroll the bill, prepare the requisite number of copies, and return the jacket and copies to the chief clerk, who shall record it correctly enrolled in the journal stating the day it was presented to the governor. As far as applicable, the same procedure shall be followed in the case of senate joint resolutions requiring enrolling.

[am. 2001 S.Res. 2]

**SENATE RULE 44. Signing of documents.** The original of all enrolled acts and joint resolutions, all engrossed resolutions, and all writs, warrants, and subpoenas issued by order of the senate shall be signed by the president, and attested by the chief clerk.

[am. 1995 S.Res. 2]

[am. 2001 S.Res. 2]

**SENATE RULE 45. Offering of privileged resolution.** Any resolution privileged by rule 69 shall, when sent to the clerk's desk, be read at length by the chief clerk, but may be read by its relating clause if copies of the text have been distributed to the members. When so read, the privileged resolution is considered to be before the senate.

[am. 1995 S.Res. 2]

[am. 2001 S.Res. 2]

**SENATE RULE 46. Presentation of proposals and other matters.** (1) Proposals, amendments, petitions, reports, communications, or other documents that may properly come before the senate shall be presented by a member thereof to the chief clerk, or a staff member designated by the chief clerk, at anytime. A brief statement of the contents thereof shall appear thereon, together with the name of the members introducing or

offering the same. If a document is to be reproduced, the chief clerk shall number the document.

(2) (a) The chief clerk shall advise the president of documents that must be referred under the rules and the president shall promptly refer the document to the appropriate committee. The chief clerk shall announce the referral on the next session day upon reaching the appropriate order of business.

(b) Within 3 working days after the time of initial referral by the president under rule 4 (10), a proposed rule may, with consent of the chairperson of the standing committee, be withdrawn from the standing committee to which it is referred and rereferred to another standing committee. Such action does not extend the standing committee review period. Rereferral may be made at any time.

(c) Within 5 working days after the time of initial referral by the president under rule 36 (2), any proposal or appointment may, with the consent of the chairperson of the standing committee, be withdrawn from the standing committee to which it is referred and rereferred to another standing committee. Rereferral under this rule may be made at any time, but may not be used to satisfy section 13.093 (1) of the statutes.

(4) Unless otherwise ordered, petitions shall be read by title only and referred to the appropriate committee.

(5) A proposed amendment that is offered shall have a heading stating the number of the proposal that it is proposed to amend and the name of the member proposing the amendment. The chief clerk shall read the number of the amendment. The amendment shall be reproduced. The jacket copy of the amendment shall be placed in the jacket and copies shall be distributed as provided by the rules. Amendments filed shall be recorded at the end of each day's journal.

[(2)(b) cr. 1981 S.Res. 2]

[(2)(c) cr. 1989 S.Res. 3]

[(1) and (5) am. 1995 S.Res. 2]

[(title), (1), (2) and (5) am. 2001 S.Res. 2]

## Chapter 5: AMENDMENTS - FORM AND PROCEDURE

**SENATE RULE 47. When amendments may be considered.** (1) Consideration of simple amendments or of substitute amendments is in order only upon the second reading of the proposal and if in compliance with rule 34.

(2) Whenever a joint resolution proposing an amendment to the constitution is placed on the calendar under rule 18 it shall be placed under the proper "2nd reading" order of business.

(3) Any senate resolution or joint resolution that does not propose an amendment to the constitution may be referred directly to the committee on senate organization. When placed on the calendar under rule 18 such resolutions shall be placed under the proper "2nd reading" order of business and, upon reading, the question is directly upon adoption or concurrence.

(4) During consideration of amendments when both simple amendments and substitute amendments to a proposal are pending, the question shall in ascending numerical order be

first upon amendments to the substitute amendment of the lowest number, and then upon that substitute amendment, unless the senate by majority vote otherwise orders.

(5) Amendments are not in order upon consideration of an executive veto.

[ (3) am. 1987 S.Res. 2, 1993 S.Res. 3 ]

[ (1), (3) and (5) am. 2001 S.Res. 2 ]

**SENATE RULE 48. Reading of amendments.** The full text of each amendment shall be read to the members by the chief clerk, and the number of each amendment shall be stated by the presiding officer, but the reading at length may not occur for amendments that have been distributed to the members.

[ am. 1995 S.Res. 2 ]

[ am. 2001 S.Res. 2 ]

**SENATE RULE 49. Offering amendments.** Amendments shall be numbered in the order received, and shall bear the name of the member or the committee offering the same. Amendments shall be prepared in proper form by the legislative reference bureau, and shall be offered in compliance with rule 29; except that when the proposal is debated on 2nd reading amendments may be offered from the floor. The chief clerk shall have amendments offered from the floor drawn in proper form as soon as possible and before the bill is subsequently engrossed and delivered to a committee or to the assembly. This provision does not delay action upon an amendment offered from the floor.

[ am. 2001 S.Res. 2 ]

**SENATE RULE 50. Amendments must be germane, general statement.** (1) A standing committee may not report any substitute or amendment for any proposal originating in either house and referred to the committee and the senate may not consider any substitute or amendment that relates to a different subject, is intended to accomplish a different purpose, or would totally alter the nature of the original proposal.

(2) Any substitute or amendment reported involving sub. (1) may not be considered whenever, before its adoption, the senate is advised that the same is in violation of this rule, and the presiding officer rules on the admissibility of the substitute or amendment when the question is raised.

(3) The senate may consider the germaneness of senate substitutes and amendments only, and only when the substitute or amendment is before the senate.

(4) An amendment to an amendment must be germane to the amendment as well as to the original proposal.

(5) An amendment repealing a section amended by the original proposal or amending a section repealed by the original proposal, except to change the effective date, or striking out all new material in the original proposal is not germane, but an amendment restoring a proposal to its original form or an amendment adding new statutory material on the same subject and with the same purpose to a proposal amending or restoring material stricken by a previous amendment is germane.

(6) An amendment otherwise germane which adds or repeals material previously adopted or rejected by the senate in another bill is germane. An identical amendment or an amendment identical in effect to one previously rejected as another amendment to the same bill or identical to a proposal currently before the senate is not germane, but such

amendments are germane if not identical with prior rejected amendments to the same bill or proposals currently before the senate.

(7) A substitute or amendment relating to a specific subject or to a general class is not germane to a bill relating to a different specific subject, but an amendment limiting the scope of the proposal is germane.

(8) Amendments proposing methods of raising revenues are germane to appropriation bills and amendments proposing appropriations are germane to revenue bills. Amendments adding appropriations necessary to fulfill the original intent of a proposal are germane.

(9) Amendments relating only to detail are germane. The use of a different committee to make an investigation, limitations on the effective date, the number of members on a board, or new material added which does not affect the subject or purpose are matters of detail and are germane.

(10) Amendments to a revision bill are germane, but amendments to a revisor's revision or correction bill are germane only if they make corrections and do not add new substantive material.

(11) An amendment to a joint resolution approving an amendment to the federal constitution is not in order.

[ (1) am. 1995 S.Res. 2 ]

[ (1) am. 1997 S.Res. 2 ]

[ (1) to (3), (8) and (10) am. 2001 S.Res. 2 ]

**SENATE RULE 51. Amendment in the 3rd degree prohibited.** Amendments beyond the degree of an amendment to an amendment to the main proposition are prohibited. For the purposes of this rule any substitute amendment, and any assembly amendment to a senate proposal or amendment, are considered a main proposition.

[ am. 2001 S.Res. 2 ]

**SENATE RULE 52. Motions to be germane; how bills may not be amended.** A motion or proposition on a subject different from that under consideration may not be admitted under color of amendment. A proposal may not be amended by annexing thereto or incorporating therein any other proposal pending before the senate.

[ am. 2001 S.Res. 2 ]

**SENATE RULE 53. Committee amendments; speaking on amendment.** Amendments reported by committees shall be acted upon by the senate in the same manner as though offered from the floor. On an amendment being offered, a member who has spoken on the main question may speak again on the amendment.

**SENATE RULE 55. Order of action.** If adverse action is recommended by a committee, that question shall be put first. However, the senate may direct the consideration of amendments, but adoption of amendments does not change the question.

[ am. 2001 S.Res. 2 ]

## Chapter 6: GENERAL PROCEDURE - ORDER IN DEBATE

**SENATE RULE 56. Recognition; debate.** Members who are about to speak in debate or deliver any matter to the senate shall rise in their places and respectfully address the

presiding officer, and, upon being recognized, shall proceed, confining themselves to the question under debate and avoiding personalities. Members may not question the motives of another member. Members may read briefly from printed material unless there is objection.

[am. 2001 S.Res. 2]

**SENATE RULE 57. Presiding officer to name first speaker.** When any 2 or more members rise at the same time, the presiding officer shall name the person who is to speak first.

[am. 2001 S.Res. 2]

**SENATE RULE 58. Member out of order.** Any member called to order shall sit down, and may not speak, except in explanation, until it is determined whether or not the member was in order. When a member is called to order for words spoken, the exceptional words shall be taken down in writing to better enable the presiding officer to judge whether they are in violation of the rules.

[am. 2001 S.Res. 2]

**SENATE RULE 59. How members may speak.** Members may not speak except from their assigned places, and not more than twice on a question, except on leave of the senate. If a question pending is lost by adjournment and revived on the succeeding day, a member who spoke twice on the preceding day may not again speak without leave of the senate.

[am. 2001 S.Res. 2]

**SENATE RULE 60. Personal privilege.** Members may rise to explain matters personal to themselves by leave of the presiding officer, but may not discuss pending questions in the explanations. Questions of personal privilege are limited to questions affecting the rights, reputation, and conduct of the members in their representative capacities. A member's right to speak on a point of personal privilege shall have precedence over all other questions except a motion to adjourn or a motion to raise a call.

[am. 2001 S.Res. 2]

**SENATE RULE 61. Special privilege.** Any member desiring to make a personal explanation on a matter other than one of personal privilege may rise and, by leave of the presiding officer, and within such limitation of time as the presiding officer or senate may determine, discuss any subject relative to state or local government, public welfare, conduct of public officials in relation to their official duties, and matters pertaining to the rights of the senate collectively, and its safety and dignity, and the integrity of its proceedings. A member may not be granted the right to speak on a point of special privilege while any matter is pending or under discussion before the senate.

[am. 2001 S.Res. 2]

**SENATE RULE 62. Stating motions.** When a motion is made, it shall be stated by the presiding officer or read by the chief clerk, previous to debate. If any member requires it, all motions, except to adjourn, postpone, or refer, shall be reduced to writing. Except as provided in rule 67, any motion may be withdrawn by consent of the senate.

[am. 2001 S.Res. 2]

**SENATE RULE 63. Motions in order during debate.** (1) (intro.) When a question is under debate, a motion may not be received except:

(a) To adjourn (not debatable or amendable, member must have floor to make motion, see rules 64 and 68).

(b) To adjourn to a fixed time (not debatable; amendable only as to time, *see* rules 64 and 68).

(c) To raise a call (not debatable or amendable, carried by majority vote of the members present, *see* rules 68 and 85 (5)).

(d) Personal privilege (not debatable, subject to time limit imposed by the presiding officer, *see* rule 60).

(e) To recess (debatable only as to length of recess, *see* rules 64 and 68).

(f) To lay on table (not debatable, returns matter to committee on senate organization, *see* rules 18, 65 and 68).

(g) For the previous question (not debatable but amendable to establish time limit for debate, *see* rules 68 and 77).

(h) For the current question (not debatable but amendable to establish time limit for debate, *see* rules 68 and 77).

(i) To postpone to a day certain (debatable, may not be renewed on same day unless matter has advanced to subsequent stage or has been changed by amendment, *see* rule 66).

(j) To refer to a standing committee (debatable, in order at any time before passage, *see* rule 41).

(k) To refer to a special committee (debatable, in order at any time before passage, *see* rule 41).

(m) To postpone indefinitely, to reject or to nonconcur, as applicable (debatable, takes precedence over corresponding motion to approve, *see* rule 55).

(n) To amend (debatable, must be germane, *see* rules 50 and 53).

(2) These several motions shall have precedence in the order in which they are set forth in this rule.

[ (1)(m) and (n) rn. 1981 S.Res. 2]

[ (1)(f) am. 1987 S.Res. 2, 1993 S.Res. 3]

[ (1)(intro.), (d), (j) and (k) and (2) am. 2001 S.Res. 2]

**SENATE RULE 64. Motion to adjourn always in order.** A motion to adjourn shall always be in order except when the senate is voting. However, a member may not move an adjournment when another member has the floor and 2 consecutive motions to adjourn are not in order unless other business intervenes. A motion to adjourn to a time certain or to recess shall have the same privilege as a motion to adjourn, but such motions shall have the order of precedence prescribed in rule 63.

[am. 2001 S.Res. 2]

**SENATE RULE 65. Laying on table.** (1) A motion to lay on the table has only the effect of disposing of the matter temporarily and it may be taken from the table at any time by order of the senate.

(2) A motion to lay a proposal on the table shall, if approved, have the effect of returning the matter to the committee on senate organization.

(3) A motion to remove a proposal from the table shall, if approved, have the effect of withdrawing the matter from the committee on senate organization and placing it on the calendar.

[(2) and (3) am. 1987 S.Res. 2, 1993 S.Res. 3]  
[am. 2001 S.Res. 2]

**SENATE RULE 66. Motion to postpone.** A motion to postpone to a day certain, to refer, or to postpone indefinitely, being decided, may not be again allowed on the same day unless the matter has been altered by amendment or advanced to a subsequent stage. A 2nd motion to reject an amendment is subject to this rule and may not be twice allowed on the same day unless altered by amendment.

[am. 2001 S.Res. 2]

**SENATE RULE 67. Motion to reconsider.** (1) A motion to reconsider a question may be made by any member having the floor who voted with the majority, or whose position recorded under rule 75 agreed with the majority. In the case of a voice vote or tie vote, the motion for reconsideration may be offered by any member not recorded absent on the question that is moved to be reconsidered. The motion for reconsideration is subject to all rules governing debate that apply to the question moved to reconsider.

(2) On questions requiring by the constitution, statutes, rules, or otherwise, a specified number of affirmative votes, the prevailing side is the majority, but such minimum affirmative requirement does not apply to the question of reconsideration.

(3) The motion for reconsideration shall be made on the same or the next succeeding legislative day and it shall be received under any order of business.

(4) A motion to reconsider shall be put immediately after pending business of higher precedence is disposed of unless it is laid over to a future time by a majority vote. A motion for reconsideration may be laid on the table without debate.

(5) After the time for receiving the motion has expired, a pending motion for reconsideration may not be challenged on the ground that the member making the motion did not vote with the majority.

(6) A motion for reconsideration, when made on the same day as the action that is moved to be reconsidered, and not acted upon due to adjournment, other than adjournment under call on the question, expires with adjournment, but if made on the following day is not lost by adjournment. A motion to reconsider amendments to a bill is in order notwithstanding the bill's advancement to a 3rd reading and a motion to reconsider the advancement is in order notwithstanding the suspension of the rules to take final action if the motions for reconsideration are otherwise timely and in order. Reconsideration of amendments under this rule shall have the same priority as to order of action as to amend under rule 63.

(7) Whenever a bill is returned from the assembly, the governor, or elsewhere for further action pursuant to the senate's request for the return, motions for reconsideration necessarily incident to opening the bill for further action shall be admitted regardless of the time limitation otherwise imposed by this rule. Action on executive vetoes or appointments or any motion to suspend the rules shall not be subject to a motion for reconsideration.

(8) A motion for reconsideration, once entered, may only be withdrawn by the member making the motion, within the time when the motion by another member would still be timely; later only by consent of or action by the senate.

(9) The motion for reconsideration having been put and lost may not be renewed but, if carried, subsequent motions for reconsideration of the same action are in order.

[(1) am. 1979 S.Res. 3]

[(1), (2) and (5) to (9) am. 2001 S.Res. 2]

**SENATE RULE 68. Questions to be decided without debate.** A motion to adjourn, to adjourn to a fixed time, to take a recess, to lay on the table, to take from the table, to place a call, to raise a call, to grant a leave, to suspend the rules, or to reconsider a nondebatable question or a call for the current or previous question, are decided without debate. And all incidental questions of order arising after a motion is made for any of the questions named in this rule, and pending the motion, is decided, whether on appeal or otherwise, without debate.

[am. 2001 S.Res. 2]

**SENATE RULE 69. Privileged motion or resolution.** A motion or resolution relating to the organization or procedure of the senate, or to any of its officers, members, or committees, is privileged in that it need not lie over for consideration, but may be taken up immediately unless referred to the calendar or committee.

[am. 2001 S.Res. 2]

**SENATE RULE 70. Division of question.** Any member may call for the division of a question, which shall be divided if it consists of propositions in substance so distinct that, one being taken away, a substantive proposition shall remain for the decision of the senate. A motion to delete and substitute is indivisible, but a motion to delete being lost does not preclude an amendment or a motion to delete and substitute. Division of action directly upon the substance of a proposal, as to pass, advance to a 3rd reading, indefinitely postpone, or any equivalent, which division may be accomplished by an amendment, are not permitted under this rule.

[am. 2001 S.Res. 2]

**SENATE RULE 71. Putting question.** All questions may be put in this form: "Those who are of the opinion that the bill pass, be concurred in, etc., (as the case may be) say, 'Aye'. Those of contrary opinion say, 'No';" or other appropriate words may be used.

**SENATE RULE 72. Ayes and noes.** (1) The ayes and noes may be ordered by the presiding officer for any vote and shall be ordered when demanded by one-sixth of the members present. The chief clerk shall record the votes taken by ayes and noes, report the result, and enter the report in the journal together with the names of those absent or not voting.

(2) Members shall remain in their seats and shall not be disturbed by any other person while the ayes and noes are being called.

(3) A request for a roll call shall not be in order after the result of the vote has been announced.

[(1) am. 2001 S.Res. 2]

**SENATE RULE 73. Every member to vote.** (1) All members present when a question is put shall vote as their names are called. For a special cause the senate may excuse a member from voting, but it shall not be in order for a member to be excused after the senate has commenced voting.

(2) When the vote is by ayes and noes, a member entering the chamber after the question is put and before it is decided may have the question stated and vote, with the vote being counted in the outcome.

[(2) am. 2001 S.Res. 2]

**SENATE RULE 74. Explanation of vote not allowed.** Explanation by a member of his or her vote, at the time of the calling of the member's name, shall not be allowed.

**SENATE RULE 75. Recording position of absent member.** Any member absent from all or part of a day's session by leave of the senate under rule 16 or 23 may, within one week after returning, instruct the chief clerk in writing, on a form entitled "statement of position" to be provided by the chief clerk, to have the journal show that had the member been present when a certain vote was taken the member would on that issue have voted aye or have voted no. If the member returns before the vote is taken, the statement of position is void and the member shall cast his or her vote as required under rule 73.

[am. 2001 S.Res. 2]

### **Chapter 7: LIMITING DEBATE**

**SENATE RULE 76. Scheduling time limits for debate.** The committee on senate organization may, or the majority leader and the minority leader if that committee does not object may jointly, designate time limits and schedules for debate. The time limits may be rejected or modified by majority vote of the senate, but this question is not debatable. The schedules and time limits shall be announced by the presiding officer immediately upon being presented. Promptly at the expiration of the time allotted, the presiding officer shall put the question.

[am. 1987 S.Res. 2, 1989 S.Res. 3, 1993 S.Res. 3]

[am. 2001 S.Res. 2]

**SENATE RULE 77. Current or previous question; time limit on debate.** (1) When any matter is under consideration any member may move the "current question" or that the "current question be put." The motion is not debatable and if carried by a majority the subsidiary question then pending before the senate shall be put without debate.

(2) A motion to establish the amount of time to be given a particular matter may be made in the same manner as provided in sub. (1), except that this motion is subject to amendment, which also is decided without debate.

(3) When any matter is under consideration any member may move the "previous question" or that the "previous question be put." The motion shall not be debatable and if carried by a majority the main question then pending before the senate shall be put without debate.

[am. 2001 S.Res. 2]

**SENATE RULE 78. Putting of motion; ending debate.** (1) The previous question being moved, the question shall then be: "Shall the main question be now put?", which question is determined by the ayes and noes. The main question being ordered to be now put, its effect is to end all debate, and bring the senate to a direct vote upon the main question.

(2) Amendments or substitute amendments may be offered, but not debated, and shall be considered immediately. A motion to lay on the table is not in order after the main question is ordered.

(3) Ordering the previous question at any stage of a proposal shall preclude debate on all questions under that order, but not upon a motion to reconsider the question terminating that order.

[am. 2001 S.Res. 2]

**SENATE RULE 79. Main question may remain before the senate.** When, on taking the previous question, the senate decides that the main question shall not now be put, the main question shall remain as the question before the senate, in the same stage of proceedings as before the previous question was moved.

[am. 2001 S.Res. 2]

**SENATE RULE 80. But one call of the senate in order.** On motion for the previous question, and before the ordering of the main question, one call of the senate is in order; but after proceedings under the call have been once dispensed with, or after a majority has ordered the main question, a call is not in order before the decision of the question.

[am. 2001 S.Res. 2]

### **Chapter 8: CALL OF THE SENATE**

**SENATE RULE 81. Call of the senate.** (1) Five senators may make a call of the senate and thereby require absent members to be sent for, but a call of the senate cannot be made after the voting has commenced.

(2) A call of the senate may be ordered on any motion or question before the senate, including a motion to adjourn, but a call of the senate on a motion to adjourn is not in order once the senate is under call on any other question.

[(2) am. 2001 S.Res. 2]

**SENATE RULE 82. Putting question.** (1) On a call of the senate being moved, the presiding officer shall say: "It requiring 5 senators to make a call of the senate, those in favor of the call will rise." And, if a sufficient number rise, the call shall be thereby ordered without debate.

(2) When a motion for a call of the senate has failed of the support of the necessary 5 members, and announcement of that fact has been made, a 2nd motion for a call on the same question is not in order unless other business intervenes.

[am. 2001 S.Res. 2]

**SENATE RULE 83. Doors to be closed.** A call of the senate being ordered, the sergeant at arms shall close the doors, and members may not leave the chamber, but the public may come and go under such regulations as the sergeant at arms finds necessary.

[am. 2001 S.Res. 2]

**SENATE RULE 84. Sergeant to bring in absentees.** The chief clerk shall immediately call the roll of the members, and note the absentees, whose names shall be read, and entered upon the journal in such manner as to show who are absent with leave and who are absent without leave. The chief clerk shall furnish the sergeant at arms with a list of those who are absent without leave, and the sergeant at arms shall forthwith proceed to find and bring in such absentees.

**SENATE RULE 85. Transacting business while under call.** (1) **GENERAL RULE.** While the senate is under call, business may not be transacted with reference to the matter on which the call is made except to receive and act upon the report of the sergeant at arms, to act on a motion to raise one or more calls, to adjourn, or to adjourn to a time certain. A roll

call on a call of the senate must be completed before the senate may take up a special order fixed for that time. A joint resolution to dispose of all matters before the senate and to recess includes matters under call.

(2) **CONCURRENT CALLS.** While the senate is under call, a concurrent call may be ordered on any other business before the senate except on a motion for a leave of absence for a member or a motion to dispense with further proceedings under a call.

(3) **OTHER BUSINESS.** Other business may be conducted by those present as if there were no call.

(4) **SUCCESSIVE CALLS ON SAME QUESTION; INTERVENING BUSINESS.** Successive calls on the same question are in order if any other action on pending business has intervened between calls of the senate.

(5) **RAISING CALL.** A motion to raise one or more calls takes precedence over every other motion, except a motion to adjourn. The affirmative vote of a majority of the members who are then present is required for adoption. Upon adoption of a motion to raise one or more calls, business shall be taken up at the point at which it was interrupted by the call, except that motions to recess or adjourn take precedence over the question on which the call was raised, and subsequent calls on motions unrelated to progress of a proposal are in order. The motion to raise a call is not amendable.

(6) **EFFECT OF ADJOURNMENT UPON CALL OF SENATE.** A majority of those present may adjourn, but upon reconvening, the senate is not under call, but the call of the senate may again be ordered in the same manner as provided in this rule.

(7) **GRANTING LEAVE UNDER CALL.** Absent members may be granted leave during a call of the senate by majority vote. Leave cannot be canceled after a call of the senate has been ordered. Prior leave expires when the senator returns although it is before the time limit set.

[(1), (5) to (7) am. 2001 S.Res. 2]

**SENATE RULE 86. Sergeant at arms may report.** The sergeant at arms may make a report of the proceedings under the call at any time. The motion to accept the report is determined by ayes and noes. The call may not be raised unless a majority of the members who are then present vote in favor of the motion. If the report is not accepted, the sergeant at arms shall proceed to a completion of the duties under rule 84.

[am. 2001 S.Res. 2]

**SENATE RULE 87. Call raised when absentees present and business disposed of.** When the sergeant at arms reports that all who were absent without leave are present and names them, the report shall be entered on the journal. The call shall end as soon as the business, pending when the call was made, is disposed of.

[am. 2001 S.Res. 2]

## Chapter 9: EMPLOYEES

**SENATE RULE 88. Employment and supervision of senate employees.** (1) The committee on senate organization shall have general supervision and direction over all

employees of the senate and may supervise or assign supervision over employees as it considers proper to the chief clerk, to the sergeant at arms, or to members of the senate.

(2) On recommendation of the respective appointing officers, the committee on senate organization shall allocate the number of employees of the senate within the limits established by the staffing pattern then in force and the duties and responsibilities assigned to each employee. The committee on senate organization shall assign each position to the proper pay range.

(3) Employees may not be allowed compensation except for such time as they are actually in attendance, except when absent with leave granted by their superior officers. Employees are not exempt from this provision on any day of the week. All employees shall perform such duties in connection with the work of the senate as are assigned to them by their superior officers, and shall be available at such hours as their superior officers direct.

[am. 2001 S.Res. 2]

**SENATE RULE 89. Certification of payroll.** The chief clerk and the sergeant at arms of the senate shall certify to the department of administration the names of all persons employed in their respective offices by the senate, the capacity in which employed, and the amounts respectively due them if the certificate is approved by the chairperson of the committee on senate organization.

[am. 1995 S.Res. 2]

[am. 2001 S.Res. 2]

## Chapter 10: RULES

**SENATE RULE 90. Creating, amending, or repealing rules.** Senate rules may be created, amended, or repealed by resolution adopted by a vote of a majority of the senate membership presently serving. The vote is taken by ayes and noes. The resolution shall set forth the precise detail of the proposed creation, amendment, or repeal. After the senate rules have been established at the commencement of the legislative biennium, any resolution to change the senate rules shall lay over one week.

[am. 2001 S.Res. 2]

**SENATE RULE 91. Suspending rules.** Senate rules may be suspended by the senate by vote of two-thirds of the members present. The vote is determined by ayes and noes unless unanimous consent is given.

[am. 2001 S.Res. 2]

**SENATE RULE 92. Continuity of senate rules.** Senate rules are effective until amended or rescinded by the senate. Senate rules remain in force at the beginning of a succeeding regular biennial session until superseded by rules adopted by the senate in the succeeding session of the legislature.

[am. 2001 S.Res. 2]

**SENATE RULE 93. Special, extended, or extraordinary sessions.** (intro.) Unless otherwise provided by the senate for a specific special, extended, or extraordinary session, the rules of the senate adopted for the regular session shall, with the following modifications, apply to each special session called by the governor and to each extended or

extraordinary session called by the senate and assembly organization committees or called by a joint resolution approved by both houses:

(1) A senate proposal may not be considered unless it is germane to the subjects enumerated by the governor in the proclamation calling the special session or to the subjects enumerated by the committees on organization or in the joint resolution calling the extended or extraordinary session and is recommended to be introduced or offered by the committee on senate organization or by the joint committee on employment relations.

(2) A notice of hearing before a committee is not required other than posting on the legislative bulletin board, and a bulletin of committee hearings may not be published.

(3) The daily calendar is in effect immediately upon posting on the legislative bulletin boards. The calendar need not be distributed.

(4) Any point of order shall be decided within one hour.

(5) A motion may not be entertained to postpone action to a day or time certain.

(6) Any motion to advance a proposal and any motion to message a proposal to the other house may be adopted by a majority of those present and voting.

[cr. 1983 S.Res. 4]  
 [(intro.) am. 1989 S.Res. 3]  
 [(1) and (3) am. 1995 S.Res. 2]  
 [(1) to (3) and (5) am. 2001 S.Res. 2]

**SENATE RULE 94. Publishing of senate rules.** (1) Whenever directed to do so by the committee on senate organization, the chief clerk shall recompile and publish the senate manual containing the senate rules, the joint rules of the senate and assembly, and the constitution of this state, together with appropriate directories of the members of the legislature, legislative employees, accredited correspondents of the news media, a detailed alphabetical index, and such other information approved by the committee on senate organization as is useful to the members of the senate. In recompiling the senate manual, the chief clerk shall make the spelling and other minor corrections authorized to be made in legislation under rule 31 (1) and (4) and shall consult with the legislative reference bureau to make any references to provisions of the constitution, statutes, joint rules, or senate rules conform to the numbers then assigned to the provisions.

(2) Spelling and capitalization in the senate rules shall follow the style of the Wisconsin statutes.

(3) (a) Within one week after the adoption of a resolution significantly changing the senate rules, the chief clerk shall direct the distribution of a new pamphlet incorporating the entire text of the senate rules as affected by the resolution unless, in the judgment of the chief clerk, additional rule changes may soon be agreed to by the senate. Each pamphlet edition shall contain a revised table of contents and index prepared by the legislative reference bureau.

(b) As directed by the chief clerk, a resolution amending the senate rules may be engrossed and duplicated for distribution.

[rn. from S.Rule 93 by 1983 S.Res. 4]  
 [am. 1987 S.Res. 3]  
 [(3)(a) am. 1995 S.Res. 2]  
 [(1) and (3) am. 2001 S.Res. 2]

## Chapter 11: MISCELLANEOUS

**SENATE RULE 95. Copies for senate.** All publications for the senate and reproduction to be done for the senate shall conform to the senate and joint rules or be as determined by the committee on senate organization or the joint committee on legislative organization.

[rn. from S.Rule 94 by 1983 S.Res. 4]

[am. 1995 S.Res. 2]

[am. 2001 S.Res. 2]

**SENATE RULE 96. Fiscal estimates.** (1) The committee on senate organization may request from the legislative fiscal bureau an original fiscal estimate on any bill if the committee believes that a fiscal estimate on the bill will not be completed by the state agency assigned to prepare the fiscal estimate before the bill receives a public hearing, is voted on by a senate standing committee, or is considered by the senate.

(2) An original fiscal estimate prepared under sub. (1) shall be submitted to the legislative reference bureau for review by the requester under joint rule 48 and for reproduction and insertion in the bill jacket envelope. The fiscal estimate, however, may not be reproduced or inserted if the fiscal estimate prepared by the state agency is available for reproduction and insertion before the fiscal estimate prepared under sub. (1).

(3) Unless otherwise determined by the senate, failure to receive a fiscal estimate requested under sub. (1) on a bill that already has one or more original fiscal estimates shall not delay consideration of the bill. Unless otherwise determined by the senate, failure to receive a fiscal estimate requested other than under sub. (1) on a bill that already has one or more original fiscal estimates requested under sub. (1) shall not delay consideration of the bill.

[cr. 2001 S.Res. 2]

**SENATE RULE 97. Space assignments.** At the commencement of each biennial session, the committee on senate organization shall assign to each member the seat to be occupied by that member during the biennial term. The schedule of room assignments to members and committees, and the schedule of meetings of standing committees, shall follow the schedule of the previous session unless changed by vote of the committee on senate organization.

[rn. from S.Rule 96 by 1983 S.Res. 4]

[am. 2001 S.Res. 2]

**SENATE RULE 98. Citations on behalf of the senate.** Any member of the senate may sponsor a citation on behalf of the senate to a particular person or organization or to commemorate a particular occasion as specified in the citation. Citations may be issued during any floorperiod as well as during any committee work period or the period scheduled for the work of the interim committees. Citations are issued without formal approval by vote of the senate.

(1) Citations may be used in place of resolutions for commendations, congratulations, and condolences of persons or organizations or to give recognition to unusual and important events, except that the use of citations shall not be abused. The committee on senate organization may more specifically interpret this subsection.

(2) If desired by the issuing member, a citation on behalf of the senate may be coauthored by one or more other members or cosponsored by one or more representatives to the assembly.

(3) A citation on behalf of the senate shall be signed by the president and by the chief clerk. If so signed, it is considered approved by the senate and shall be so recorded in the journal. If the president or chief clerk refuses to approve a citation, the committee on senate organization may require the president and chief clerk to approve it. A copy of the finished citation shall be provided to the issuing senator, and another copy thereof shall be filed in the legislative reference bureau.

(4) All citations on behalf of the senate shall be prepared on an artistic form, shall be approved by the committee on senate organization, shall be suitable for framing, and shall be in substantially the following form:

(Scrollwork Incorporating State Coat of Arms)

CITATION BY THE SENATE

KNOW YOU BY THESE PRESENTS:

WHEREAS, The Burlington Standard Press has been recognized by the Wisconsin Newspaper Association; and

WHEREAS, William E. Branen, Publisher of the Burlington Standard Press, has been named by....; now,

THEREFORE, The Members of the Wisconsin Senate, on the motion of Senators Maurer and Cullen [and Representative(s)], under Senate Rule 98, congratulate William E. Branen for his accomplishments ....

STATE CAPITOL  
Madison, Wisconsin

.....  
(Date)

.....  
(President)

.....  
(Chief Clerk)

[rn. from S.Rule 97 by 1983 S.Res. 4]  
[(4) am. 1995 S.Res. 2]  
[am. 2001 S.Res. 2]

**SENATE RULE 99. Definitions.** The following are definitions of the major terms used in the senate rules or traditionally used in deliberations on the floor:

(1) **ACT:** A bill that has passed both houses of the legislature, been enrolled, and been approved by the governor or passed over the governor's veto, or that becomes law without the signature of the governor, and published.

- (2) **ADJOURN:** To conclude a legislative day's business [see also sub. (79)].
- (3) **ADOPTION:** Approval of a motion, amendment, substitute amendment, simple resolution, or joint resolution.
- (4) **AMENDMENT:** A suggested alteration in any proposal, often referred to as a simple amendment in distinction to a substitute amendment, intended to take the place of the proposal.
- (5) **APPEAL:** A member's challenge of a ruling on a point of order. To prevail, an appeal requires the support of a majority of the members present.
- (7) **BILL:** A proposed change of law originating in either house, requiring passage by one house and concurrence of the other house of the legislature and approval of the governor, or passage notwithstanding the objections of the governor by a two-thirds vote in each house, before becoming effective.
- (8) **CALENDAR:** The agenda for any legislative day.
- (9) **CALL OF THE HOUSE:** A procedure for requiring the attendance of absent members.
- (10) **CERTIFICATE OR CITATION:** A formal legislative document of commendation, congratulations, or condolences.
- (11) **CHAIR:** The position that the presiding officer fills.
- (12) **CHIEF CLERK:** The officer elected to perform and direct the clerical and personnel functions of one of the houses.
- (13) **COMMITTEE CHAIRPERSON:** The head of a committee.
- (14) **COMMITTEE EXECUTIVE ACTION:** The action of a committee on any proposal.
- (15) **COMMITTEE OF THE WHOLE:** The membership of one house organized in committee for the discussion of a specific matter.
- (16) **CONCURRENCE:** The action by which one house agrees to a proposal or action of the other house.
- (17) **CONFERENCE COMMITTEE:** A committee of representatives to the assembly and of senators, appointed to resolve differences on a specific proposal.
- (18) **CONTESTED SEAT:** A district in which 2 or more persons claim the right to represent the district.
- (20) **CURRENT MEMBERSHIP:** The members of one of the houses, omitting those who have resigned, have been removed, or have died.
- (22) **DILATORY:** To delay.
- (23) **DIVISION OF THE QUESTION:** To break a question into 2 or more separate propositions.
- (24) **ELECTED MEMBERSHIP:** The members of one of the houses, certified as elected in the last general election, including those who have subsequently resigned, have been removed, or have died.

(25) **ENGROSSED PROPOSAL:** A proposal incorporating all adopted amendments and all approved technical corrections in the house of origin, whether or not it is reproduced as engrossed.

(26) **ENROLLED PROPOSAL:** A proposal that was passed, or adopted, and concurred in, incorporating any amendments and corrections that were approved by both houses.

(27) **EXPUNGE:** To remove material from the record and thus undo some action.

(27m) **EXTRAORDINARY SESSION:** The convening of the legislature by the assembly and senate committees on organization or by petition or joint resolution of the legislature to accomplish the business specified in the action calling the session. When used to continue a floorperiod of the regular session for a limited purpose, the extraordinary session is referred to as an extended session.

(28) **FISCAL ESTIMATE:** A memorandum by a state agency pursuant to joint rules 41 to 49, explaining the impact of a bill on state or local finances.

(29m) **FLOOR OF THE SENATE:** That portion of the senate chamber that is reserved for members, senate officers, and persons granted the privilege of the floor.

(30) **FLOOR AMENDMENT:** Any amendment offered for consideration at the 2nd reading stage, or for committee consideration, but not drafted by the legislative reference bureau.

(31) **GERMANENESS:** The relevance or appropriateness of amendments.

(32) **HEARING:** A committee meeting at which the public is invited to testify on a proposal or issue.

(33) **HISTORY:** A record of actions on any given proposal.

(33m) **HISTORY FILE:** The list of entries made by the chief clerk in the bulletin of proceedings, recording the actions of the legislature on a proposal.

(34) **INCIDENTAL MOTIONS AND REQUESTS:** A group of motions and requests that generally relates to the proceedings, procedures, and subsidiary questions during debate, and that must be disposed of before proceeding to the main question under consideration. Incidental questions have lower precedence than privileged questions but higher precedence than subsidiary and main motions.

(35) **INDEFINITE POSTPONEMENT:** A motion to kill a proposal in its house of origin for a legislative session.

(36) **INTRODUCTION:** The formal presentation of a bill before one of the houses.

(37) **JOINT CONVENTION, ALSO CALLED JOINT SESSION:** A joint meeting of the senate and the assembly.

(38) **JOINT HEARING:** A hearing held by a joint committee or by committees of both houses.

(39) **JOINT RESOLUTION:** A proposal requiring adoption by both houses, to: a) express the opinion of the legislature; b) change joint rules of the legislature; c) propose an amendment to the state constitution; or d) propose or ratify an amendment to the U.S. constitution.

- (40) **JOINT RULES:** The common rules of procedure adopted by both houses.
- (41) **JOURNAL:** The official publication of one of the houses.
- (42) **LEAVE:** Permission to be absent from one of the houses.
- (43) **LEGISLATIVE DAY:** Any day on which the legislature is in session.
- (44) **MAIN MOTIONS AND QUESTIONS:** The final affirmative question concerning a proposal during any stage of its consideration or any motion made or question raised when no other matter is before the house. Main questions have lower precedence than privileged, incidental, and subsidiary questions.
- (45) **MAJORITY:** One more than one-half.
- (46) **MANUAL:** The publication containing the rules of a house, the joint rules, the session schedule, the state constitution, alphabetical indexes, and other materials relevant to a legislator's job.
- (47) **MEMBER:** A duly elected senator or representative to the assembly.
- (48) **MEMBERS PRESENT:** Those members in attendance at a daily session.
- (48m) **MEASURE:** Another term for proposal.
- (49) **MOTION:** A proposed action requiring approval by a vote of a house.
- (50) **NONCONCURRENCE:** The refusal of one house to agree to a proposal or action of the other.
- (50m) **OFFER:** The formal presentation of a joint resolution, resolution, substitute amendment, amendment, or motion before a house.
- (51) **OPINION OF THE ATTORNEY GENERAL:** A formal reply by the attorney general to a specific question.
- (52) **PAIR:** A written agreement between 2 members on opposite sides of a question not to vote on that question while one or both are absent with leave, thereby permitting the absent member to influence the outcome of a vote.
- (53) **PARLIAMENTARY INQUIRY:** A request for an explanation of a legislative rule or procedure.
- (54) **PASSAGE:** Final approval in the first house of a bill introduced in that house.
- (55) **PETITION:** A request that one of the houses take a particular course of action.
- (56) **POINT OF ORDER:** A request that the presiding officer rule on some matter of parliamentary procedure.
- (57) **PRECEDENT:** A previous ruling, decision, or action used to interpret legislative rules.
- (57d) **PRESIDENT:** A member of the senate, elected by the membership to preside over the senate and carry out the duties as described in the senate rules, the joint rules, and the statutes.

- (57m) **PRESIDENT PRO TEMPORE:** A member of the senate, elected by the membership to carry out the duties of the president in his or her absence.
- (58) **PREVIOUS QUESTION:** A motion that debate on a proposal be ended.
- (59) **PRIVILEGED MOTIONS AND REQUESTS:** A group of motions and requests relating to basic questions concerning the meetings, organization, rules, rights, and duties of the senate and having the highest precedence for consideration. Privileged motions and requests take precedence over incidental, subsidiary, and main questions.
- (60) **PROPOSAL:** A resolution, joint resolution, or bill put before a house for consideration.
- (61) **QUESTION:** A statement before one of the houses for decision.
- (62) **QUORUM:** A majority of the current membership of one of the houses, unless otherwise required by the state constitution.
- (63) **RECESS:** A temporary suspension of business during a day of the year.
- (64) **RECONSIDERATION:** A motion to nullify a decision and again consider and vote on the question involved.
- (65) **REGULAR ORDER OF BUSINESS:** The regular sequence of deliberations on any legislative day.
- (66) **REGULAR SESSION:** The biennial session of the legislature established by the constitution and by section 13.02 of the statutes. The Wisconsin legislature convenes in the capitol on the first Monday of January in each odd-numbered year at 2 p.m. to take the oath of office, to select officers, and to organize itself for the conduct of its business, but if the first Monday falls on January 1 or 2, the legislature organizes on January 3. Daily meetings begin in January of each year and continue throughout the biennium until the final adjournment of the session. "Session" is also often used to refer to the daily meetings of the legislature.
- (67) **REJECTION:** An action for the adverse and final disposition of: a) a resolution or joint resolution for the biennial session of the legislature; b) an amendment or substitute amendment with regard to one specific document; c) the application of a motion to the current situation; and d) the report of a committee.
- (68) **REMAIN INFORMAL:** A temporary suspension of proceedings in one of the houses.
- (69) **REQUEST:** A proposed action that does not require a vote because: a) unanimous consent has been asked for; or 1g) the presiding officer has the authority to take or order the requested action.
- (70) **RESCIND:** An action by which one of the houses nullifies an action or actions on a proposal so as to enable the house to again consider a proposal from a given stage. When such motion prevails, the house resumes its consideration of a proposal at the stage indicated in the motion.
- (71) **RESOLUTION:** A proposal: a) expressing the opinion of one of the houses; or b) changing the rules of one of the houses.
- (73) **ROLL CALL DAY:** A legislative day on which any roll call is taken.

- (74) **ROLL CALL VOTE:** A vote on which each member voting is recorded by name.
- (75) **RULES OF PROCEDURE:** The legislative rules that govern the conduct of legislative business.
- (76) **RULING:** The presiding officer's decision on a point of order.
- (77) **SENATE CHAMBER:** The entire area south of the northern-most doors of the senate, including the floor, staff lobby, press lobby, visitor's galleries, and hallways, but excluding the offices of the senate officers.
- (78) **SERGEANT AT ARMS:** The officer elected by the members to perform and direct the police and custodial functions of one of the houses.
- (79) **SINE DIE ADJOURNMENT:** The final adjournment of a legislative session.
- (84) **SPECIAL SESSION:** The convening of the legislature by the governor to accomplish a special purpose for which convened.
- (85) **STAGE:** One of the formal steps in the legislative process.
- (86) **STANDING COMMITTEE:** A permanent legislative committee.
- (87) **SUBSIDIARY MOTIONS:** A group of motions that change, or delay or accelerate the consideration of, a proposal before a house. Subsidiary motions have lower precedence than privileged and incidental questions, but higher precedence than main motions.
- (88) **SUBSTITUTE AMENDMENT:** An amendment that, if accepted, takes the place of the original proposal. The term more accurately describes a "substitute bill" or "substitute resolution."
- (90) **SUSPENSION OF THE RULES:** A motion requiring the support of two-thirds of the members present and by which a special action on a specific proposal is accomplished despite the existence of a rule blocking the action. Any suspension of the rules is temporary.
- (92) **UNANIMOUS CONSENT:** A request for a specific purpose; if an objection is not heard, it is assumed that the request has the consent of the entire body.
- (93) **VETO:** The action by which a bill or a part thereof is rejected by the governor.
- (94) **VOICE VOTE:** A vote taken by asking the members in favor of a question to say "aye" simultaneously and then the members opposed to likewise say "no."

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Revised by Legislative Reference Bureau  
January 2001

*Senate Rule*

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**Quick Finder:**

**QUORUM  
ROLL CALL  
MAJORITY**

**Quorum**

A majority of the current membership of the senate constitutes a quorum for the transaction of business unless a higher number is required by the state constitution, law, or legislative rule.

**Three-fifths** of the **members elected** (20 senators) is the quorum for final approval of fiscal bills; Wis.Con. VIII-8. Consequently, the minimum majority for approval of fiscal bills is 11 senators.

A fiscal bill is any bill which: 1) imposes, continues or renews a tax; 2) creates a state debt or charge; 3) makes, continues or renews an appropriation of public or trust money; or 4) releases, discharges or commutes a claim or demand of the state; Wis.Con. VIII-8.

**Roll Call**

The senate may decide any question by a voice vote unless a roll call is ordered by the presiding officer or at the request of one-sixth of the senators present (Wis.Con. IV-20), or is required by the state constitution, law, or legislative rule. A roll call vote, with the ayes and noes entered in the journal, is required for any senate decision which needs a special QUORUM or a special MAJORITY for final determination. In addition, roll call votes are required for:

Adjournment or recess under call; Senate Rule 85 (5).

Appeal from ruling of presiding officer; Senate Rule 7 (4).

Conference committee report, vote to approve; Joint Rule 3 (3).

Election by the legislature; Senate Rule 1, Wis.Con. IV-30.

Ending debate by motion; Senate Rule 78 (1).

Governor's or state superintendent's nomination for appointment; Senate Rule 22 (2).

Print additional copies of legislative document; Joint Rule 62 (2).

Raise a call of the senate; Senate Rule 85 (5)

Ratify amendment to U.S. constitution; Joint Rule 58 (2).

## Majority

The senate may decide any question by a majority of a quorum unless a higher vote total is required for final approval by the state constitution, law, or legislative rule.

**Three-fourths** of all the **members elected** (25 senators):

Increased retirement fund benefits, approval of bill to grant;  
Wis.Con. IV-26.

**Two-thirds** of all the **members elected** (22 senators):

Expulsion of an elected senator; Wis.Con. IV-8.

Removal of judge by address; Wis.Con. VII-13.

**Two-thirds** of **members present** and constituting a quorum:

Impeachment, trial of; Wis.Con. VII-1.

Message to assembly, rescind motion; Senate Rule 42 (2).

Rules, suspension of; Senate Rule 91.

Veto, passage notwithstanding governor's objections; Wis.Con. V-10.

**Majority** of all the **members elected** (17 senators):

*SENATE RULE 39: . . . in cases where a minimum special quorum is required by constitution, statutes, rules, or otherwise, and when there are permanent vacancies in the senate, the membership presently serving shall be the basis for determining such minimum special quorum.*

Bonded indebtedness, authorizing; Wis.Con. VIII-7.

Constitutional amendment, approval on first or 2nd consideration;  
Wis.Con XII-1 and Joint Rule 12 (2)(f).

Debt for extraordinary expenditures; Wis.Con. VIII-6.

Joint rule, adopt or change; Joint Rule 97 (1).

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**Majority** of **three-fifth** of all the **members elected** (*see Quorum*):

Any fiscal bill, vote on passage; Wis.Con. VIII-8.