



State of Wisconsin  
2017 - 2018 LEGISLATURE

LRB-0831/1  
RAC:kjf

## 2017 SENATE RESOLUTION 2

January 13, 2017 - Introduced by Senators S. FITZGERALD, ROTH and VUKMIR.  
Referred to Committee on Senate Organization.

1     **To repeal** senate rule 25 (1) (a); **to amend** senate rule 6 (2) (f), senate rule 13m (8),  
2             senate rule 18 (4), senate rule 24, senate rule 26, senate rule 46 (2) (c) and  
3             senate rule 58; **to repeal and recreate** senate rule 25 (4) (a); and **to create**  
4             senate rule 97m; **relating to:** the senate rules.

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### *Analysis by the Legislative Reference Bureau*

This resolution makes the following changes to the senate rules:

#### ***Condition of senate chamber on floor session days***

The resolution eliminates a requirement that the senate chamber be “properly ventilated” before each daily session.

#### ***Electronic devices in senate gallery***

The resolution requires that individuals in the senate gallery silence and conceal all electronic devices. Currently, the devices must be shut off.

#### ***Delayed calendars***

The resolution permits delayed calendars to be referred to the Committee on Senate Organization. Currently, the calendars, unless ordered to a different time by the Committee on Senate Organization, must be taken up after completion of the ninth order of business of the current calendar day, but before consideration of the tenth order.

#### ***Participation in committee meetings***

Current rules permit a member who is connected to a meeting of a committee via teleconference to be considered present. This may occur only with the consent

of the committee chairperson. The resolution provides that the member may participate by telephone or by other means of telecommunication or electronic communication, with the consent of the committee chairperson.

***Timing of public hearings***

The resolution eliminates a requirement that a committee chairperson who determines to hold a committee hearing must schedule the hearing as early as practicable.

***Voting in committee by polling***

Under current rules, a committee may not conduct an executive session on a proposal, amendment, appointment, or proposed administrative rule by polling unless the chairperson of the committee determines that voting by polling is necessary in an emergency for the preservation of the public peace, health, safety, or welfare.

The resolution provides that a committee member who was recorded as present at an executive session may vote by polling on a proposal, amendment, appointment, or proposed administrative rule considered at that executive session. However, if a committee member was not recorded as present, the committee member may not vote by polling unless the committee chairperson determines that voting by polling is necessary in an emergency for the preservation of the public peace, health, safety, or welfare.

***Withdrawal from committee***

Current rules provide that the president may, with the consent of a committee chairperson and the chairperson of the Committee on Senate Organization, withdraw a proposal or appointment from the committee to which it is referred and rerefer it to another committee, except that such a withdrawal may not take effect during the 7 days preceding any scheduled committee hearing or the 7 days following the committee hearing. The resolution eliminates the “7 days preceding” and “7 days following” exception.

***Senator out of order***

The resolution eliminates the requirement that when a senator is called to order for words spoken, the exceptional words must be taken down in writing.

***Use of legislative staff for certain meetings***

The resolution provides that a member may not hold in a committee room a meeting of a formally constituted group or caucus that was not created by the Committee on Senate Organization, other than a meeting of a partisan caucus, or receive staff assistance at such a meeting from the office of the sergeant at arms or a legislative service agency, unless the meeting is approved by the Committee on Senate Organization. Requests for assistance from the office of the sergeant at arms or a legislative service agency for meetings in a committee room with constituent groups does not require approval from the Committee on Senate Organization.

1           **SECTION 1.** Senate rule 6 (2) (f) is amended to read:

2           SENATE RULE 6 (2) (f) Ensure that the chamber is ~~properly ventilated and is~~  
3 open for the use of the members as directed by the presiding officer or from one hour  
4 preceding each daily session until one hour after that day's adjournment.

5           **SECTION 2.** Senate rule 13m (8) is amended to read:

6           SENATE RULE 13m (8) Shall ~~turn-off~~ silence and conceal all electronic devices.

7           **SECTION 3.** Senate rule 18 (4) is amended to read:

8           SENATE RULE 18 (4) Unless referred to, or otherwise ordered at a time  
9 designated by, the committee on senate organization, after completion of the 9th  
10 order of business of the current calendar day, and before consideration of the 10th  
11 and succeeding orders, unfinished calendars shall be taken up and completed.

12          **SECTION 4.** Senate rule 24 is amended to read:

13          SENATE RULE 24. **Committee quorum; subcommittees.** A majority of any  
14 committee constitutes a quorum for the transaction of business. For the purpose of  
15 determining a quorum of a committee necessary to transact business, and with the  
16 consent of the committee chairperson, a member who ~~is connected to~~ participates in  
17 a meeting of the committee ~~via teleconference~~ by telephone or by other means of  
18 telecommunication or electronic communication is considered present.  
19 Subcommittees may be appointed to take charge of any part of the committee's  
20 business and to report to the committee. Motions to reconsider may be made in  
21 committee, before the papers are reported to the senate. Rereference gives the  
22 committee full power to act without reconsidering its former action.

23          **SECTION 5.** Senate rule 25 (1) (a) is repealed.

24          **SECTION 6.** Senate rule 25 (4) (a) is repealed and recreated to read:

1           SENATE RULE 25 (4) (a) 1. A committee member who was recorded as present  
2           at an executive session may vote by polling on a proposal, amendment, appointment,  
3           or proposed administrative rule considered at that executive session. The committee  
4           member may vote by polling on all applicable motions.

5           2. If a committee member was not recorded as present at an executive session,  
6           the committee member may not vote by polling on a proposal, amendment,  
7           appointment, or proposed administrative rule considered at that executive session  
8           unless the chairperson of the committee determines that voting by polling is  
9           necessary in an emergency for the preservation of the public peace, health, safety, or  
10          welfare. If the chairperson determines that a committee member may vote by  
11          polling, the committee member may vote on all applicable motions.

12          **SECTION 7.** Senate rule 26 is amended to read:

13          SENATE RULE 26. **Schedule of committee activities.** The chairperson of each  
14          senate committee shall file with the chief clerk a copy of each notice of a public  
15          hearing or executive session before that committee in accordance with rule 25 (1).  
16          The chairperson shall file the copy of the notice with the chief clerk immediately after  
17          posting the notice. All such notices shall be published, on a daily basis, on the  
18          legislature's ~~committee Internet Web site~~ website.

19          **SECTION 8.** Senate rule 46 (2) (c) is amended to read:

20          SENATE RULE 46 (2) (c) After the time of initial referral by the president under  
21          rule 36 (2), the president may, with the consent of the chairperson of the standing  
22          committee and the chairperson of the committee on senate organization, withdraw  
23          a proposal or appointment from the standing committee to which it is referred and  
24          rerefer it to another standing committee, ~~except that such a withdrawal may not take~~  
25          ~~effect during the 7 days preceding any scheduled committee hearing or the 7 days~~

1 following the date on which a committee hearing is held. Rereferral under this rule  
2 may be made at any time, but may not be used to satisfy section 13.093 (1) of the  
3 statutes.

4 **SECTION 9.** Senate rule 58 is amended to read:

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

10 **SECTION 10.** Senate rule 97m is created to read:

11 SENATE RULE 97m. **Use of committee rooms and legislative staff for**  
12 **certain meetings.** A member may not hold in a committee room a meeting of a  
13 formally constituted group or caucus that was not created by the committee on senate  
14 organization, other than a meeting of a partisan caucus, or receive staff assistance  
15 at such a meeting from the office of the sergeant at arms or a legislative service  
16 agency, unless the meeting is approved by the committee on senate organization.  
17 Requests for assistance from the office of the sergeant at arms or a legislative service  
18 agency for meetings in a committee room with constituent groups does not require  
19 approval from the committee on senate organization.

20 (END)