



2003 ASSEMBLY RESOLUTION 3

January 23, 2003 - Introduced by Representative FREESE. Referred to Committee on Rules.

1 **To amend** assembly rule 11 (4), assembly rule 12, assembly rule 30 (1), assembly
2 rule 31 (7), assembly rule 32 (1) (a), assembly rule 39 (1), assembly rule 41 (1),
3 assembly rule 50 (1), assembly rule 56 (1), assembly rule 58 (3), assembly rule
4 73 (9) and assembly rule 93 (4); and **to create** assembly rule 99; **relating to:**
5 the assembly rules.

Analysis by the Legislative Reference Bureau

This resolution makes changes to the assembly rules as follows:

Memorializing Congress

This resolution prohibits the introduction or offering of any assembly joint resolution or resolution memorializing Congress or any branch or officer of the federal government. The resolution also prohibits the assembly from receiving a senate joint resolution memorializing Congress or any branch or officer of the federal government. The resolution requires each such senate joint resolution to be transmitted back to the senate immediately after the message referring to the senate joint resolution is read.

Calling a member to order

Currently, when a member is called to order for the alleged use of improper or disorderly language, the specific words to which exception has been taken must be put in writing to enable the presiding officer to better judge whether the words spoken were in violation of the assembly rules. This resolution clarifies that the member who questions the orderliness of the remarks must provide this written statement to the presiding officer.

Meetings of the rules committee during session days

Currently, the assembly rules prohibit any committee from meeting while the assembly is in session, except for a conference committee. This resolution also permits the assembly rules committee to meet while the assembly is in session.

Votes in committee

Currently, the rules require all committee votes to be taken in the presence of the committee and prohibit a member from being recorded as voting unless the member is present at the committee session when the vote is taken. The rule does not apply to the committee on assembly organization or the joint committee on legislative organization. This resolution applies the rule to the assembly committee on organization and exempts from the rule all joint committees.

Returning proposals to the amendable stage

Currently, the rules state that, when a motion to reconsider is entered to return a proposal to the amendable stage, the maker of the motion may offer one new amendment to the proposal. This resolution specifies, instead, that while such a motion is pending any member may offer new amendments to the proposal before the vote on the motion to reconsider.

Recognizing or addressing a member

Under current assembly rules, while the members are on the assembly floor, the members may address each other only by either the number of the member's district or by the county or municipality in which the member resides. Under this resolution, the members may address each other only by the number of the member's district.

Motions for reconsideration

Under current assembly rules, under the 7th order of business on a session day, the assembly may consider motions for reconsideration of passage, indefinite postponement, concurrence, or nonconcurrence. Under this resolution, under the 7th order of business on a session day, the assembly may also make motions to reconsider such matters.

Proposals in special, extended, or extraordinary sessions

Under this resolution, for a day in which the assembly sits in special, extended, or extraordinary session, any proposals that are germane to such a session are referred to that day's calendar and may be taken up immediately.

Call of the roll

This resolution requires that all members who are present at the start of a session day be in their chairs for the call of the roll.

Fiscal estimates by legislative fiscal bureau

This resolution permits the speaker or presiding officer to request the legislative fiscal bureau to prepare an original fiscal estimate on a bill if the speaker or officer believes that the state agency assigned to prepare the estimate will not complete it in time for legislative action.

1 **SECTION 1** Assembly rule 11 (4) is amended to read:

2 ASSEMBLY RULE 11 (4) All committee votes shall be taken in the presence of the
3 committee. A member may not be recorded as voting unless the member is present
4 at the committee session when the vote is taken. This subsection does not apply to
5 ~~the committee on assembly organization,~~ to the a joint committee on legislative
6 ~~organization,~~ or to the joint legislative council.

7 **SECTION 2.** Assembly rule 12 is amended to read:

8 ASSEMBLY RULE 12. **Committees not to meet during daily session.** Except
9 for conference committees and the committee on rules, a committee may not meet
10 while the assembly is in session.

11 **SECTION 3.** Assembly rule 30 (1) is amended to read:

12 ASSEMBLY RULE 30 (1) The call of the roll to record attendance shall be taken
13 in the same manner as a roll call vote. All members who are present shall be in their
14 chairs for the call of the roll. A list of those present and absent shall be entered in
15 the journal. A member who arrives late may, with the approval of the assembly, be
16 recorded as present.

17 **SECTION 4.** Assembly rule 31 (7) is amended to read:

18 ASSEMBLY RULE 31 (7) Seventh order. ~~Consideration~~ Making and consideration
19 of motions for reconsideration of passage, indefinite postponement, concurrence, or
20 nonconcurrence.

21 **SECTION 5.** Assembly rule 32 (1) (a) is amended to read:

22 ASSEMBLY RULE 32 (1) (a) Messages Except as otherwise provided in this
23 paragraph, messages from the senate or from the governor may be received and read,
24 and any proposal referenced in the messages that is a senate proposal initially
25 received for consideration of the assembly shall be referred and any other proposals

1 referenced in the messages shall be taken up immediately unless referred by the
2 presiding officer to a standing committee or to the calendar. Any messages from the
3 senate referring to a senate joint resolution memorializing Congress or any branch
4 or officer of the federal government that is received for consideration of the assembly
5 may be read but the senate joint resolution may not be received for consideration.
6 The senate joint resolution shall be transmitted to the senate immediately after the
7 message is read;

8 **SECTION 6.** Assembly rule 39 (1) is amended to read:

9 ASSEMBLY RULE 39 (1) Except as otherwise provided in joint rule 83 (2) and this
10 subsection, any member or standing committee may introduce or offer proposals in
11 the assembly on any day of the biennial legislative session. No member or standing
12 committee may offer any assembly joint resolution or resolution memorializing
13 Congress or any branch or officer of the federal government.

14 **SECTION 7.** Assembly rule 41 (1) is amended to read:

15 ASSEMBLY RULE 41 (1) Except as further provided in subs. (2) and (3) and except
16 as otherwise provided in this subsection, any assembly joint resolution or resolution,
17 and any senate joint resolution received by the assembly for consideration, shall
18 receive a reading on each of 2 separate and nonconsecutive legislative days under the
19 appropriate order of business designated in rule 31. Unless otherwise ordered, each
20 reading shall consist of reading the relating clause in the resolution's title or on first
21 reading be as provided in rule 42 (2) or (3). This subsection does not apply to any
22 senate joint resolution that the assembly is prohibited from considering under rule
23 32 (1) (a).

24 **SECTION 8.** Assembly rule 50 (1) is amended to read:

1 ASSEMBLY RULE 50 (1) Each proposal that passes or is adopted after a 3rd
2 reading, and each senate proposal adversely disposed of by the assembly, shall be
3 transmitted, along with a certified report of the assembly's action, to the senate
4 immediately after failure of any motion to reconsider the passage, adoption, or
5 adverse disposition fails, as applicable, or the expiration of the time for making the
6 such a motion expires, together with a certified report of the assembly's action.

7 **SECTION 9.** Assembly rule 56 (1) is amended to read:

8 ASSEMBLY RULE 56 (1) Any member who desires to speak in debate or submit
9 any matter to the assembly shall rise in his or her assigned place and respectfully
10 address the presiding officer. Upon being recognized, the member shall confine his
11 or her remarks to the question before the assembly and shall avoid personalities. A
12 member may be recognized or addressed only by the number of the member's district
13 ~~or by the county or municipality in which the member resides.~~

14 **SECTION 10.** Assembly rule 58 (3) is amended to read:

15 ASSEMBLY RULE 58 (3) When the orderliness of remarks made by a member is
16 ~~called to order for~~ questioned under sub. (1) based on the alleged use of improper or
17 disorderly language, the member questioning the orderliness shall give the
18 presiding officer a written statement containing the specific words to which
19 exception has been taken ~~shall be put in writing~~, thus enabling the presiding officer
20 better to be able to judge whether the words spoken were in violation of the assembly
21 rules.

22 **SECTION 11.** Assembly rule 73 (9) is amended to read:

23 ASSEMBLY RULE 73 (9) When a motion to reconsider has been entered to return
24 a proposal to the amendable stage, ~~the maker of the motion~~ while the motion is
25 pending, any member may offer ~~one new amendment~~ new amendments to that

1 proposal, ~~which~~ before the vote on the motion to reconsider. Any such new
2 amendments shall be provided to the members.

3 **SECTION 12.** Assembly rule 93 (4) is amended to read:

4 ASSEMBLY RULE 93 (4) All proposals shall be referred to ~~a~~ the day's calendar
5 and may be taken up immediately. A calendar need not be provided.

6 **SECTION 13.** Assembly rule 99 is created to read:

7 ASSEMBLY RULE 99. **Fiscal estimates.** (1) The speaker or presiding officer may
8 request from the legislative fiscal bureau an original fiscal estimate on a bill if the
9 speaker or presiding officer believes that a fiscal estimate on the bill will not be
10 completed by the state agency assigned to prepare the fiscal estimate before the bill
11 receives a public hearing, is voted on by an assembly standing committee, or is
12 considered by the assembly.

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

19 (3) Unless otherwise determined by the assembly, failure to receive a fiscal
20 estimate requested under sub. (1) on a bill that already has one or more original fiscal
21 estimates does not delay consideration of the bill. Unless otherwise determined by
22 the assembly, failure to receive a fiscal estimate requested other than under sub. (1)
23 on a bill that already has one or more original fiscal estimates requested under sub.
24 (1) does not delay consideration of the bill.

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(END)