



2023 SENATE RESOLUTION 2

April 17, 2023 - Introduced by Senator LEMAHIEU. Referred to Committee on Senate Organization.

1 **To renumber and amend** senate rule 8 (4); **to amend** senate rule 4 (8), senate rule
2 11 (6), senate rule 18 (1b), senate rule 25 (1) (c), senate rule 25 (4) (b), senate
3 rule 28, senate rule 33 (2), senate rule 34 (1), senate rule 35, senate rule 36 (2)
4 (a), senate rule 36 (2) (c), senate rule 41 (1) (a), senate rule 41 (1) (b), senate rule
5 47 (5) and senate rule 98 (4); and **to create** senate rule 8 (4) (b) and senate rule
6 18 (1f); **relating to:** the senate rules.

Analysis by the Legislative Reference Bureau

This resolution makes the following changes to the senate rules:

Receipt of messages

Current senate rules require the president or presiding officer to receive messages from the other branches of government and announce them to the senate. The resolution clarifies that the president or presiding officer must also receive messages from the assembly and may announce all messages to the senate.

Consumption of beverages on senate floor

Current senate rules prohibit the consumption of beverages within the senate chamber. The resolution eliminates this prohibition, but provides that the presiding officer, at any time, may prohibit or restrict beverage consumption to preserve decorum. For the purpose of consuming beverages within the senate chamber, the resolution requires the presiding officer to designate appropriate beverage

containers and places at or on which the containers may be placed or stored. In no instance may a beverage container be placed or stored on the top of a member's desk in the senate chamber.

Access to the senate floor

Current senate rules provide that only certain individuals may be admitted to the senate floor and that all other individuals must specifically be invited on the senate floor by the Committee on Senate Organization. The resolution authorizes the presiding officer also to invite other individuals on the senate floor.

Consideration of assembly companion proposals

Current senate rules require that an assembly proposal initially received for consideration of the senate must be referred. The resolution provides that an assembly proposal initially received for consideration of the senate that is a companion proposal to a senate proposal that is on that day's calendar, as determined by the presiding officer, shall be taken up immediately unless referred by the presiding officer to a standing committee.

Availability of unIntroduced legislation at committee meetings

Current senate rules require that if unIntroduced legislation will be considered at a committee meeting, copies of the unIntroduced legislation must be available at the senate chief clerk's office. The resolution clarifies that this requirement applies only to unIntroduced bills, joint resolutions, and resolutions and not to unIntroduced amendments.

Minority reports

Current senate rules provide that a committee member who objects to a committee report may file a minority report on the same or next legislative day that the committee report is filed. The resolution provides instead that a committee member who objects to a committee report must first notify the committee chairperson that he or she intends to file a minority report. The minority report must then be filed with the committee chairperson no later than the second business day after the committee's vote to adopt the committee report.

Proposals to be on file

Current senate rules provide generally that bills and joint resolutions, after introduction, must lay over for 24 hours before being considered. The resolution clarifies that this layover requirement applies only to senate actions on passage, adoption, or concurrence.

Consideration of amendments

The resolution provides specifically that reports of conference committees are not amendable. This conforms the senate rules to the joint rules.

Technical changes

The resolution makes a number of technical changes for purposes of clarity and consistency.

1 **SECTION 1.** Senate rule 4 (8) is amended to read:

2 SENATE RULE 4 (8) Receive messages and other communications from the
3 assembly and from other branches of the government, and may announce them to the
4 senate.

5 **SECTION 2.** Senate rule 8 (4) is renumbered senate rule 8 (4) (a) and amended
6 to read:

7 SENATE RULE 8 (4) (a) A member or other person may not, within the senate
8 chamber, read newspapers, periodicals, magazines, books, or similar materials,
9 unless the publication is relevant to the debate on the senate floor; consume food,
10 beverages, or tobacco products; or take photographs or make any video recording.

11 **SECTION 3.** Senate rule 8 (4) (b) is created to read:

12 SENATE RULE 8 (4) (b) A member or other person may consume beverages within
13 the senate chamber; however, at any time, the presiding officer may prohibit or
14 restrict beverage consumption to preserve decorum. For the purpose of consuming
15 beverages within the senate chamber, the presiding officer shall designate
16 appropriate beverage containers and places at or on which the containers may be
17 placed or stored. In no instance may a beverage container be placed or stored on the
18 top of a member's desk in the senate chamber.

19 **SECTION 4.** Senate rule 11 (6) is amended to read:

20 SENATE RULE 11 (6) Persons who are not specified in subs. (1) to (5) may be
21 invited on the floor of the senate by the committee on senate organization or the
22 presiding officer.

23 **SECTION 5.** Senate rule 18 (1b) is amended to read:

24 SENATE RULE 18 (1b) Messages from the assembly or from the governor may be
25 received and read, and any proposal referenced in the messages that is an assembly

1 proposal initially received for consideration of the senate shall be referred, except as
2 provided in sub. (1f). Any other proposals referenced in the messages shall be taken
3 up immediately unless referred by the presiding officer to a standing committee.

4 **SECTION 6.** Senate rule 18 (1f) is created to read:

5 SENATE RULE 18 (1f) An assembly proposal initially received for consideration
6 of the senate that is a companion proposal to a senate proposal that is on that day's
7 calendar, as determined by the presiding officer, shall be taken up immediately
8 unless referred by the presiding officer to a standing committee.

9 **SECTION 7.** Senate rule 25 (1) (c) is amended to read:

10 SENATE RULE 25 (1) (c) The public notice under par. (b) shall be posted on the
11 bulletin board of each house. The notice shall indicate the day, hour, and place of the
12 meeting and the number, author, and relating clause of each proposal to be
13 considered. If an ~~unintroduced legislation~~ proposal will be considered at the
14 meeting, the notice shall indicate the draft number assigned to the ~~legislation~~
15 proposal by the legislative reference bureau and the relating clause of the ~~legislation~~
16 proposal, and shall indicate that copies of the draft ~~legislation~~ proposal are available
17 at the chief clerk's office. The chairperson shall provide a copy of the draft ~~legislation~~
18 proposal to the chief clerk before publishing the notice. The chief clerk shall
19 ~~distribute~~ make available copies of the draft ~~legislation~~ proposal to any person who
20 requests such copies. Whenever a scheduled meeting is canceled, the chairperson
21 shall immediately notify the chief clerk and post cancellation notices on the bulletin
22 boards of each house.

23 **SECTION 8.** Senate rule 25 (4) (b) is amended to read:

24 SENATE RULE 25 (4) (b) If a chairperson of a committee elects to vote by ballot
25 under par. (am), public notice shall be posted on the bulletin board of each house prior

1 to the circulation of the ballot as provided under sub. (1) (b) and (d). The notice shall
2 indicate the day and hour when the ballot will be circulated and the number, author,
3 and relating clause of each proposal to be considered. If an unIntroduced legislation
4 proposal will be considered, the notice shall indicate the draft number assigned to
5 the legislation proposal by the legislative reference bureau and the relating clause
6 of the legislation proposal, and shall indicate that copies of the draft legislation
7 proposal are available at the chief clerk's office. The chairperson shall provide a copy
8 of the draft legislation proposal to the chief clerk before posting the notice. The chief
9 clerk shall make available a copy of the draft legislation proposal to any person who
10 requests a copy.

11 **SECTION 9.** Senate rule 28 is amended to read:

12 SENATE RULE 28. **Minority reports.** Any member ~~or members~~ dissenting from
13 a report of a committee may ~~make, at the time of the committee's final vote on the~~
14 matter, notify the chairperson of his or her intent to file a separate minority report
15 stating the reasons and conclusions; and all reports. A minority report must be filed
16 with the committee chairperson no later than the 2nd business day after the
17 committee's vote. A minority report, if decorous in language and respectful to the
18 senate, shall be entered at length on the journal. Any minority report must be filed
19 on the same or the next legislative day as the majority report or recommendation.

20 **SECTION 10.** Senate rule 33 (2) is amended to read:

21 SENATE RULE 33 (2) A senate proposal identical with one already rejected may
22 not be introduced or offered. However, an assembly bill or joint resolution that is
23 identical to a senate bill or joint resolution previously rejected by the senate ~~or may~~
24 be considered for concurrence and any bill repealing a former act of the same biennial
25 session may be introduced or offered.

1 **SECTION 11.** Senate rule 34 (1) is amended to read:

2 SENATE RULE 34 (1) All bills and joint resolutions, and all resolutions except
3 those privileged for immediate consideration under rule 69, after introduction, must
4 lay over at least 24 hours before being considered for passage, adoption, or
5 concurrence.

6 **SECTION 12.** Senate rule 35 is amended to read:

7 SENATE RULE 35. **Three separate readings.** Every bill, and every joint
8 resolution proposing an amendment to the constitution, must receive 3 separate
9 readings by relating clause prior to its passage or adoption except where otherwise
10 provided, but may not receive 2 readings on the same day.

11 **SECTION 13.** Senate rule 36 (2) (a) is amended to read:

12 SENATE RULE 36 (2) (a) Except as provided in pars. par. (c) and ~~(d)~~, all bills
13 introduced in the senate which by statute require reference in the senate to a
14 particular committee shall be so referred upon first reading and all assembly bills
15 when received from the assembly shall be so referred upon first reading except where
16 the assembly record on the bill discloses that the statutory requirement has been
17 satisfied by reference to the committee in the assembly.

18 **SECTION 14.** Senate rule 36 (2) (c) is amended to read:

19 SENATE RULE 36 (2) (c) ~~Notwithstanding par. (a), the~~ The president may refer
20 a bill that pertains only incidentally to a matter of concern to a joint survey
21 committee directly to the committee appropriate to the major substance of that bill,
22 and in that case shall direct the appropriate joint survey committee to prepare its
23 report on the bill while that bill is in the possession of the other committee. This rule
24 does not suspend the requirement that the report of the appropriate joint survey
25 committee must be received before the bill is given its 2nd reading.

1 **SECTION 15.** Senate rule 41 (1) (a) is amended to read:

2 SENATE RULE 41 (1) (a) A proposal or other matter may be rereferred at any time
3 prior to its passage, except that a motion to withdraw the proposal or other matter
4 from committee may not take effect during the 7 days preceding any scheduled
5 committee meeting on that proposal or other matter or the 7 days following the date
6 on which such a committee meeting is held.

7 **SECTION 16.** Senate rule 41 (1) (b) is amended to read:

8 SENATE RULE 41 (1) (b) A motion to withdraw and rerefer or to withdraw is in
9 order, except that if the senate has once refused to withdraw and rerefer or to
10 withdraw a proposal or other matter from committee, any subsequent motion to
11 withdraw and rerefer or to withdraw the proposal or other matter from committee
12 requires a suspension of the rules.

13 **SECTION 17.** Senate rule 47 (5) is amended to read:

14 SENATE RULE 47 (5) Amendments are not in order upon consideration of an
15 executive veto or a report of a conference committee.

16 **SECTION 18.** Senate rule 98 (4) is amended to read:

17 SENATE RULE 98 (4) All citations on behalf of the senate must be prepared on
18 an artistic form, must first be approved by the committee on senate organization,
19 must be suitable for framing, and must be in substantially the following form:

20 (Scrollwork Incorporating State Coat of Arms)

21 CITATION BY THE SENATE

22 Know You By These Presents:

23 Whereas, ...; and

24 Whereas, ...; now,

