

State of Wisconsin



ASSEMBLY RULES *

As last affected by 1999 Assembly Resolution 3
Adopted January 14, 1999

Chapter 1: Election and Duties of Officers

Assembly officers	Rule 1
Party officers; election, duties	Rule 2
Duties of the speaker; speaker pro tempore	Rule 3
Other presiding officers	Rule 4
Chief clerk's duties	Rule 5
Sergeant at arms' duties	Rule 6
Employes; appointment and supervision	Rule 7

Chapter 2: Committees of the Assembly

Committee of the whole	Rule 8
Standing committees	Rule 9
Special committees	Rule 10

* Under Assembly Rule 94 (3) (a), a pamphlet of this type will be printed following the adoption of any resolution "significantly changing" the assembly rules.

The assembly rules were last readopted by 1983 Assembly Resolution 12 on June 2, 1983. Subsequent changes, enacted by 1985 Assembly Resolution 2, 1987 Assembly Resolution 2, 1989 Assembly Resolutions 2, 11 and 27, 1991 Assembly Resolutions 2 and 3, 1993 Assembly Resolutions 2, 14, 16 and 24, 1995 Assembly Resolutions 2, 12, 14 and 31, 1997 Assembly Resolution 2, and 1999 Assembly Resolutions 2 and 3, are recorded in notes following the affected rules.

Committee procedures	Rule 11
Committees not to meet during daily session	Rule 12
Business referred to committee	Rule 13
Public hearings	Rule 14
Withdrawing a proposal from committee	Rule 15
Claims against the state when presented to a member of the assembly	Rule 17
Committee reports; time limits	Rule 17m
Committee report with recommendations	Rule 18
Committee report without recommendation	Rule 19
Committee reports concerning proposed rules	Rule 20
Special committee on ethics and standards of conduct	Rule 21
Committee on assembly organization	Rule 23
Committee on rules	Rule 24

Chapter 3: Daily Sessions

Admission to the floor of the assembly	Rule 25
Conduct in the chamber	Rule 26
Absences and leaves	Rule 27
Hour for convening	Rule 28
Assembly calendar	Rule 29
Call of the roll; quorum	Rule 30
Regular orders of business	Rule 31
Variations in the regular order; special orders	Rule 32
Resolutions for special orders of business	Rule 33

Chapter 4: General Procedures on Proposals and Related Matters

Chief clerk receives matters addressed to the assembly	Rule 34
Proposals, amendments and reports to be provided before debate	Rule 35
Clerical corrections to proposals	Rule 36
Petitions and other documents	Rule 37
Assembly publications and printing	Rule 38

Chapter 5: Offering, Introduction and Disposition of Proposals

Introduction of proposals	Rule 39
Readings of bills	Rule 40
Readings of resolutions	Rule 41
First reading and reference of proposals	Rule 42
Privileged resolutions	Rule 43
Veto	Rule 44

Subsequent reference of proposals	Rule 45
Second reading and amendment of proposals	Rule 46
Main question before assembly	Rule 47
Third reading and decisions on proposals	Rule 48
Adverse and final disposition	Rule 49
Messaging to the senate	Rule 50
Enrolling; further consideration	Rule 51

Chapter 6: Amendments

Offering amendments	Rule 52
Drafting of amendments	Rule 53
Germaneness of assembly amendments	Rule 54
Sequence of considering amendments	Rule 55

Chapter 7: General Rules of Debate

Recognition	Rule 56
Interruptions	Rule 57
Calling a member to order	Rule 58
Conduct during debate	Rule 59
Debate on delayed calendars	Rule 60
Questions of privilege	Rule 61
Points of order and appeals	Rule 62

Chapter 8: Motions and Other Actions During Debate

Putting a motion	Rule 63
Seconding	Rule 64
Privileged and subsidiary motions and requests during debate	Rule 65
Incidental motions, requests and questions during debate	Rule 66
Nondebatable motions	Rule 67
Amendments to motions to be germane	Rule 68
Dilatory motions	Rule 69
Motion to recess	Rule 69m
Adjourning	Rule 70
Ending debate	Rule 71
Postponing; rejecting; referring	Rule 72
Reconsidering	Rule 73
Tabling	Rule 74

Chapter 9: Putting Questions and Voting

Stating the question	Rule 75
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Voting	Rule 76
Voting mandatory; exceptions	Rule 77
Presiding officer votes	Rule 78
Pairs	Rule 79
Division of the question	Rule 80
Tie loses question	Rule 81
Interruptions of clerk during roll call	Rule 82

Chapter 10: Procedures Under Call

Call of the assembly	Rule 83
Members to remain in chamber when under call	Rule 84
Sergeant to bring in absentees	Rule 85
Business under call	Rule 86
Lifting a call	Rule 87
Successive calls on same question	Rule 88

Chapter 11: Change, Suspension, Authority of Rules

Changing assembly rules	Rule 89
Suspension of the rules	Rule 90
Authority and interpretation of the rules	Rule 91
Continuity of assembly rules	Rule 92
Special, extended or extraordinary sessions	Rule 93
Content, format and style of rules and manual	Rule 94

Chapter 12: Miscellaneous

Definitions	Rule 95
Legislative citations	Rule 96
Assembly citations	Rule 97

ASSEMBLY RULES

As last affected by 1999 Assembly Resolution 3 (Adopted January 14, 1999)

Chapter 1: ELECTION AND DUTIES OF OFFICERS

ASSEMBLY RULE 1. **Assembly officers.** As early as possible in each legislative biennium, the assembly shall elect from among its members, by roll call vote of a majority of those present, a speaker of the assembly, and a speaker pro tempore, and from outside its membership a chief clerk and a sergeant at arms. Such officers shall serve for the legislative biennium unless separated by death, resignation or removal by a majority of the current membership of the assembly. A midterm vacancy in any such office shall be filled by an election scheduled by the speaker as a special order of business.

ASSEMBLY RULE 2. **Party officers; election, duties.** (1) The majority and minority parties in the assembly shall elect the officers shown in sub. (2), and may select any other officers desired. Party officers shall hold office for the legislative biennium unless separated by death, resignation or removal from office by a majority of the current membership of the appropriate party caucus. They shall perform the duties assigned to them by their respective caucuses, by legislative rule and by law.

(2) Each party caucus shall elect a floor leader, an assistant floor leader and a caucus chairperson to be known, respectively, as the majority leader, the assistant majority leader, the majority caucus chairperson, the minority leader, the assistant minority leader and the minority caucus chairperson. In the absence of the majority leader or minority leader, the respective assistant leader shall carry out the duties assigned to that leader.

(3) On the day a new legislature is convened under section 13.02 (1) of the statutes, the chairperson of each party caucus shall notify the chief clerk of the offices established by his or her party caucus and the incumbents therein, and thereafter shall notify the chief clerk of any change in such offices or incumbents. Each notification shall be entered in the journal.

(4) The division of seats in the chamber among majority and minority party members shall be determined by the speaker in consultation with the 2 caucuses. Disputed seating assignments shall be decided by the floor leader of the appropriate caucus.

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

ASSEMBLY RULE 3. **Duties of the speaker; speaker pro tempore.** (1) The speaker shall:

(a) Open each daily session, at the time set for convening, by taking the chair to preside over the assembly and calling the members to order.

(b) Announce the business before the assembly in the order in which it is to be acted upon.

(c) Put to a vote all motions and questions which properly arise in the course of proceedings and announce the results.

(d) Order a roll call vote when such a vote is required by the constitution, by law, or by legislative rule.

(e) Restrain the members within the rules while they are engaged in debate.

(f) Maintain order, decorum and quiet among members and visitors in and about the chamber during sessions and have offending persons removed and the galleries cleared when necessary to do so.

(g) Rule on any point of order and inform the members on parliamentary procedure.

(h) Receive communications from other branches of government and, when required, direct that they be read to the assembly or entered in the journal.

(i) Authenticate by personal signature, when required, acts, orders and proceedings of the assembly.

(j) Appoint members to all legislative committees or other bodies as required by law, legislative rule or other directive.

(k) In general, represent and stand for the assembly, declaring its will and obeying its commands concerning the discharge of the speaker's assigned duties.

(L) Supervise all other officers of the assembly, each being subordinate to the speaker in the discharge of his or her assigned duties.

(m) Certify under section 13.08 of the statutes, with the countersignature of the chief clerk, the names of all qualified members of the assembly and the number of miles of travel for which each member is entitled to compensation.

(n) Authorize expenditures to procure appropriate floral pieces or similar memorials for deceased or ill members of the legislature, state officers or other persons who have been identified with the legislative process.

(o) Issue subpoenas, with the countersignature of the chief clerk, for the attendance of witnesses before any assembly committee, and issue summary process for the arrest of any witness disobeying the mandate of any such subpoena.

(p) Administer, when required, the oaths of office to members and officers of the assembly.

(q) Determine office assignments for members.

(r) 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 assembly within 7 working days following receipt, and provide notice to that committee whenever the speaker is informed that a proposed rule or portion thereof is being withdrawn. The speaker shall refer any report received from a standing committee which objects to a proposed rule or portion thereof to the joint committee for review of administrative rules.

(s) Perform any other duties assigned to the office of speaker by law, legislative rule, directive of the assembly, or custom.

(2) In the absence of the speaker, the speaker pro tempore may exercise all the powers and shall carry out all the duties of the speaker.

[(1)(h) and (j) am. 1995 A.Res. 2]

ASSEMBLY RULE 4. **Other presiding officers.** (1) In the absence of both the speaker and the speaker pro tempore, the majority leader or his or her designee shall preside.

(2) In the absence of all of these officers, one of the members shall be elected to preside temporarily until the return of the speaker, the speaker pro tempore or the majority leader.

(3) The presiding officer may place any member in the chair, but such substitution shall not extend beyond an adjournment.

ASSEMBLY RULE 5. **Chief clerk's duties.** (1) The assembly chief clerk shall:

(a) Open the biennial session of the assembly following the one to which the chief clerk was elected. (If the chief clerk is unavailable, the chief of the legislative reference bureau shall preside for the opening of that session.)

(b) Supervise the preparation and keeping of the daily journal, daily calendars, bulletins of proceedings and weekly schedule of committee activities.

(c) Supervise the official recording of all assembly actions and the making of all required entries in the history file for proposals.

(d) During or after each daily session, notify the legislative reference bureau of any proposal introduced on that day, or of any substitute amendment or amendment deposited on that day.

(e) Supervise the engrossing and enrolling of any proposal as directed by the speaker or the committee on assembly organization.

(f) Any assembly proposal ordered engrossed and read a 3rd time shall be reviewed by the chief clerk with regard to incorporating whatever amendments have been adopted. When a proposal has been correctly engrossed, it shall be submitted to the assembly for a 3rd reading. If the proposal is to be reproduced in engrossed form, the work shall be performed by the legislative reference bureau under joint rule 63.

(g) After a bill, or a joint resolution requiring enrolling, has passed the assembly and been concurred in by the senate, or after an assembly resolution requiring enrolling has been adopted, the chief clerk shall promptly deliver the proposal to the legislative reference bureau which shall promptly enroll it, prepare the requisite number of copies, and return the proposal and enrolled copies to the clerk. When the enrolling of a proposal has been completed, the chief clerk shall notify the assembly by entering a report of the enrollment in the journal.

(h) Maintain custody of official assembly records and report any missing record or document to the speaker.

(i) Arrange for the opening prayer at any daily session.

(j) Countersign with the speaker documents which, by law or rule, require the personal signature of the chief clerk.

(k) Make all required reports regarding appointments of members of the assembly.

(L) Certify the proper compensation and allowance due to each member and the chief clerk.

(m) Certify the names of all persons employed and the capacity in which employed and, with the approval of the speaker, the proper compensation due each such employe.

(n) Deposit with the secretary of state's office any assembly resolution or joint resolution which has been adopted and enrolled.

(o) Present to the governor for action all assembly bills which have passed both houses of the legislature, been enrolled and signed by the proper officers.

(p) Deposit with the secretary of state's office, at the close of each biennial session and at the close of each special session, the full record of assembly action on all proposals together with other important documents and papers in the possession of the assembly.

(q) Certify to the secretary of state any assembly bill or portion thereof which has passed the legislature notwithstanding the objections of the governor.

(r) Supervise the preparation of the journal of the assembly and deposit it as required by legislative rule or by law.

(s) Supervise the keeping of records concerning retirement contributions, social security, insurance, allowances and related matters and certify the same to the appropriate department.

(t) Implement and maintain a sound personnel management program for the assembly.

(u) File one copy of each report of a standing committee concerning a proposed administrative rule under rule 20 with the head of the agency proposing the rule, the chief clerk of the senate and the cochairpersons of the joint committee for review of administrative rules.

(v) Perform, under the supervision of the speaker, all additional duties or services assigned to the office of chief clerk by law, legislative rule, directive of the assembly, or custom.

(2) The chief clerk may delegate specific portions of the work assigned to the clerk's office to appropriate assistants, but shall supervise and remain responsible for its execution.

(3) The chief clerk shall designate an employe assigned to the clerk's office as assistant chief clerk to direct the duties of that office in the clerk's absence.

[(1)(b), (c), (d) and (f) am. 1995 A.Res. 2]

ASSEMBLY RULE 6. Sergeant at arms' duties. (1) The assembly sergeant at arms shall:

(a) Execute any directive of the assembly or its presiding officer and perform all duties assigned to the sergeant at arms in connection with the maintenance of order in the assembly.

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

(c) Supervise the provision of all legislative documents to the members.

(d) Ensure that the chamber is properly ventilated and is open for the use of the members from one hour preceding any session until one hour after adjournment or as otherwise directed by the speaker.

- (e) Supervise the employes assigned to the office of the sergeant at arms.
- (f) Certify the names and titles of all persons employed through the office of the sergeant at arms and, with the approval of the speaker, the proper compensation due the sergeant at arms and each such employe.
- (g) Maintain order and quiet in and about the chamber, remove disorderly persons or clear the galleries or other areas of the chamber when directed to do so by the presiding officer, and carry out any other instructions of the presiding officer in relation to any disturbance which may occur in or near the chamber.
- (h) Carry out the instructions of the presiding officer in compelling the attendance of absent members.
- (i) Assist the chief clerk in implementing and maintaining a sound personnel management program for the assembly.
- (j) Perform, under the supervision of the speaker, all additional duties and services assigned to the office of sergeant at arms by law, legislative rule, directive of the assembly, or custom.
- (k) Ensure that the U.S. flag is displayed in the room in which an assembly committee is meeting.

(2) The sergeant at arms shall designate one of his or her employes as assistant sergeant at arms to direct the duties of that office in his or her absence.

[(1)(g) am. 1995 A.Res. 2]

[(1)(k) cr. 1997 A.Res. 2]

[(1)(c) am. 1999 A.Res. 3]

ASSEMBLY RULE 7. Employes; appointment and supervision. (1) The appointment and removal of employes of the speaker, speaker pro tempore, majority and minority leaders, assistant majority and minority leaders, chairpersons, other members, chief clerk and sergeant at arms shall be made by each such employe's appointing authority.

(2) Unless otherwise specifically provided, all assembly employes shall be paid in accordance with the compensation and classification plan adopted by the joint committee on legislative organization or the committee on assembly organization.

(3) No employe may be paid for any period of absence unless absent with leave granted by the employe's appointing authority. Every employe shall perform the duties assigned by the employe's appointing authority and shall be available at such hours as the employe's appointing authority shall direct.

(4) The committee on assembly organization shall determine the number of assembly employes and the type of duties and responsibilities assigned to each employe.

Chapter 2: COMMITTEES OF THE ASSEMBLY

ASSEMBLY RULE 8. Committee of the whole. By motion, the assembly may at any time resolve itself into a committee of the whole for the consideration of any matter. The

assembly rules and Jefferson's manual shall govern the committee's proceedings except as follows:

- (1) A roll call vote is not in order except on the question of the committee arising.
- (2) A motion to end debate is not in order.
- (3) A member may speak more than twice on the same question and may, with recognition from the chairperson, direct questions to other members or witnesses.
- (4) The presiding officer retains the chair or appoints someone else to preside until the committee elects its chairperson.
- (5) Persons other than members may be invited to speak or report.
- (6) At the conclusion of its proceedings, the committee shall rise and report its actions to the assembly.
- (7) The committee shall not recess or postpone to a future time a subject before it for consideration.

ASSEMBLY RULE 9. Standing committees. (1) As early as possible in each legislative biennium, the following standing committees of the assembly shall be appointed by the speaker:

- (b) Agriculture, committee on.
- (bm) Campaigns and elections, committee on.
- (bp) Census and redistricting, committee on.
- (c) Children and families, committee on.
- (d) Colleges and universities, committee on.
- (dm) Conservation and land use, committee on.
- (e) Consumer affairs, committee on.
- (em) Corrections and the courts, committee on.
- (f) Criminal justice, committee on.
- (g) Education, committee on.
- (h) Education reform, committee on.
- (i) Environment, committee on.
- (im) Family law, committee on.
- (j) Financial institutions, committee on.
- (k) Government operations, committee on.
- (L) Health, committee on.

- (m) Highway safety, committee on.
- (n) Housing, committee on.
- (o) Insurance, committee on.
- (p) Judiciary and personal privacy, committee on.
- (q) Labor and employment, committee on.
- (s) Natural resources, committee on.
- (se) Public health, committee on.
- (sm) Review of the farmland preservation program, committee on.
- (t) Rural affairs and forestry, committee on.
- (u) Small business and economic development, committee on.
- (v) State affairs, committee on.
- (vm) Transportation, committee on.
- (w) Tourism and recreation, committee on.
- (x) Urban and local affairs, committee on.
- (y) Utilities, committee on.
- (z) Veterans and military affairs, committee on.
- (zd) Ways and means, committee on.

(2) Unless otherwise designated:

(a) The total number of members on each committee (unless specified by statute, joint rule or assembly rule) and the allocation of such number between members of the majority and minority party shall be determined by the speaker.

(b) The speaker shall make all committee appointments of members of the majority party.

(bm) The first-named person of each standing committee shall be the chairperson and the second-named person shall be the vice chairperson.

(c) The speaker shall make all committee appointments of members of the minority party as nominated by the minority leader, except that the speaker may appoint any member of the minority party as chairperson of a committee.

(cm) Unless the member is the chairperson, the first-nominated minority member of each standing committee who is first nominated by the minority leader shall be the ranking minority member of that committee unless the speaker and minority leader agree that the first-nominated member shall serve as vice chairperson of the committee.

(3) There shall also be a committee on assembly organization consisting of the speaker, majority leader, assistant majority leader, speaker pro tempore, majority caucus chairperson, minority leader, assistant minority leader and minority caucus chairperson.

(4) There shall also be an assembly committee on finance consisting of the assembly members of the joint committee on finance. The chairperson of the assembly committee shall be a cochairperson of the joint committee.

(5) There shall also be an assembly committee on audit consisting of the assembly members of the joint legislative audit committee. The chairperson of the assembly committee shall be a cochairperson of the joint committee. Proposals may be referred to, and reported by, the joint committee in the same manner as other standing committees.

(6) There shall also be an assembly committee for review of administrative rules consisting of the assembly members of the joint committee for review of administrative rules. The chairperson of the assembly committee shall be a cochairperson of the joint committee. Proposals may be referred to, and reported by, the joint committee in the same manner as other standing committees.

(7) There shall also be an assembly committee on employment relations consisting of the assembly members of the joint committee on employment relations. The chairperson of the assembly committee shall be a cochairperson of the joint committee. Proposals may be referred to, and reported by, the joint committee in the same manner as other standing committees.

(7m) There shall also be an assembly committee on information policy consisting of the assembly members of the joint committee on information policy. The chairperson of the assembly committee shall be a cochairperson of the joint committee. Proposals may be referred to, and reported by, the joint committee in the same manner as other standing committees.

(8) In addition to the committees of which the speaker is a regular member, the speaker shall be a nonvoting member of any other standing committee but shall not be counted in determining a quorum thereof.

(9) The schedule of committee room assignments and meeting days shall follow the schedule of the previous session unless changed by order of the speaker.

[(1) am. 1985, 1987, 1989, 1991, 1993: A.Res. 2]

[(1) am. 1993 A.Res. 14 and 24]

[(2)(a) am. 1989 A.Res. 11]

[(1) r. and rc. 1995 A.Res. 2]

[(2)(b), (bm), (c), (cm) am. 1995 A.Res. 2]

[(4), (5), (6) and (7) am. 1995 A.Res. 2]

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

[(7) am. 1997 A.Res. 2]

[(1) am. 1999 A.Res. 2]

[(7m) cr. 1999 A.Res. 3]

ASSEMBLY RULE 10. Special committees. (1) A special committee may be created only as provided in this section.

(1m) Special committees may be created by the speaker by written order and may be created by resolution. Any such committee shall cease to exist:

(a) When its final report has been made to the assembly;

(b) When the objective for which the committee was established has been accomplished;

or

(c) When the termination date established by the action creating the committee has arrived.

(2) The speaker may create a temporary special committee by written order.

(3) A special committee or temporary special committee may not be created by written order unless no additional legislative employe will be hired to staff the special committee.

[(1) cr. 1995 A.Res. 2]

[(1m)(intro.) ra. 1995 A.Res. 2]

[(1m)(a) to (c) rn. from (2) (a) to (c) 1995 A.Res. 2]

[(2) cr. 1995 A.Res. 2]

[(1m)(intro.) am. 1995 A.Res. 31]

[(3) cr. 1995 A.Res. 31]

[(2) am. 1997 A.Res. 2]

ASSEMBLY RULE 11. Committee procedures. Insofar as applicable, the rules of the assembly apply to the procedures of standing committees and special committees.

(1) A majority of any committee constitutes a quorum for the transaction of business.

(2) Committee chairpersons may appoint subcommittees to consider specified subjects and report to the parent committee. Committee chairpersons may appoint subcommittee chairpersons, who may be members of any political party.

(3) A committee shall meet upon the call of its chairperson within the times and places assigned by the speaker. If anticipated public attendance so warrants, arrangements may be made through the sergeant at arms to hold a committee meeting in quarters larger than the regularly assigned committee room.

(3m) A member who is connected to a committee meeting by means of a 2-way, audiovisual transmission shall be considered present for all purposes and to the same extent as a member who is attending the meeting in person.

(4) All committee votes shall be taken in the presence of the committee. A member shall not be recorded as voting unless the member was present at the committee session when the vote was taken.

(5) (a) Any vote may be held open until the adjournment of the committee session to permit an absent member to vote. Any such vote shall only be recorded if the member votes in the presence of the committee in session.

(b) If an absent member makes a timely request, a committee report may indicate how the member would have voted had he or she been present.

(6) Members of a committee shall vote in the order in which named to the committee.

(7) In the absence of the chairperson and the vice chairperson, committee members shall succeed to the chair in the order in which named to the committee.

(8) Before a proposal is reported to the assembly, a committee may reconsider any action taken on the proposal.

(9) The chairperson shall determine when proposals or other business will be scheduled for public hearing or executive action, and, subject to rule 17m, when committee actions shall be reported to the assembly.

(10) The chairperson is responsible for notifying committee members of all committee meetings.

(11) (a) No committee may meet outside the city of Madison without prior authorization under section 13.123 (3) (a) of the statutes.

(b) Beginning on July 1 of each even-numbered year and ending on the date of the general election of that year, a committee may not meet in this state outside the city of Madison without the prior joint authorization by the speaker and the minority leader.

(c) Beginning on the day on which a special election to the legislature is called, and ending on the day on which the special election is held, no committee may meet within the legislative district in which the special election is called, except in the city of Madison, without the prior joint authorization by the speaker and the minority leader.

[(2) and (9) am. 1995 A.Res. 2]

[(11) cr. 1995 A.Res. 2]

[(11) am. 1997 A.Res. 2]

[(1) am. 1999 A.Res. 3]

[(3m) cr. 1999 A.Res. 3]

ASSEMBLY RULE 12. Committees not to meet during daily session. Except for conference committees, no committee may meet while the assembly is in session.

ASSEMBLY RULE 13. Business referred to committee. (1) Any business to be decided by the assembly may be referred to a committee:

(a) Upon introduction [see rule 42].

(am) By the speaker, after a committee reports it, as provided in rule 45.

(b) While under debate by the assembly [see rule 65 (2) (d) and (e)].

(c) By a motion, offered under the 13th order of business, while such business is pending on any reproduced calendar awaiting assembly action. Any such motion requires a majority vote for adoption.

(2) (a) Each notice and report by an administrative agency concerning an administrative rule for review by a standing committee shall be referred by the speaker to the appropriate standing committee within 7 working days following receipt. The speaker shall provide notice to that committee whenever he or she is informed that a proposed rule or portion thereof is withdrawn by the administrative agency.

(b) Within 3 working days after initial referral by the speaker under rule 3 (1) (r), the speaker, with consent of the chairperson, may withdraw a proposed rule from the standing committee to which it is referred and rerefer it to another standing committee. Such action does not extend the standing committee review period.

[(1)(c) am. 1995 A.Res. 2]

[(2)(a) rn. from (2) 1995 A.Res. 2]

[(2)(b) cr. 1995 A.Res. 2]

[(1)(am) cr. 1997 A.Res. 2]

[(1)(c) am. 1997 A.Res. 2]

ASSEMBLY RULE 14. Public hearings. (1) Any proposal referred to a committee, and any other business relevant to its title, may at the discretion of the chairperson be scheduled for public hearing.

(2) On or before Monday noon of each week or on or before Friday noon of the first week of the biennial session, the chairperson of each standing committee shall post on the assembly bulletin board and file with the chief clerk a list of the public hearings which will be held before such committee during the following week. The announcement of any hearing shall give the day, hour, place and nature of the business, or number, author and relating clause of any proposal, to be considered. These lists shall be reproduced in the weekly schedule of committee activities.

(3) No hearing shall be held until copies of any of the legislation scheduled for hearing are available to the public.

[(2) am. 1995 A.Res. 2]

ASSEMBLY RULE 15. Withdrawing a proposal from committee. (1) No proposal may be withdrawn from any committee until 21 calendar days have expired since the proposal was referred to the committee. After the 21-day period, proposals may be withdrawn either by motion or by petition, but:

(a) No bill may be withdrawn from a joint survey committee.

(b) No bill requiring, but not having, an emergency statement for passage may be withdrawn from the joint committee on finance or from the committee on rules.

(2) The motion to withdraw a proposal from committee shall be in order only on the first day in any week on which the call of the roll is taken under the first order of business. Such motions shall be decided by majority vote.

(3) Once a motion to withdraw a proposal from a committee which requires a majority vote fails, all subsequent motions to withdraw that proposal from the same committee shall require a two-thirds majority for adoption and shall be decided without debate.

(4) A petition to withdraw a proposal from committee requires the personal signatures of a majority of the assembly's current membership.

(a) All such petitions shall be prepared upon request by the chief clerk's office. The chief clerk shall submit a copy to the chairperson of the committee and another to the speaker.

(b) Each withdrawal petition signature shall be dated by the signer. Withdrawal petitions may not be circulated prior to the expiration of the 21-day period.

(c) Any withdrawal petition shall be filed with the chief clerk who shall immediately examine it for compliance with this rule. All questions concerning the adequacy of a withdrawal petition shall be decided by the speaker.

(d) The receipt of each proper withdrawal petition shall be announced by the chief clerk under the 4th order of business on the legislative day following its receipt. The text of the petition, including the names of the signers, shall be reproduced in the journal.

(5) Immediately upon adoption of any withdrawal motion or the chief clerk's announcement of receipt of a proper withdrawal petition, the affected proposal shall be taken from committee and placed in the committee on rules for calendar scheduling, but if the withdrawal was from that committee, the affected proposal shall be placed directly on the calendar for the 2nd legislative day thereafter.

(6) Whenever a bill is introduced in the assembly or senate under section 227.19 (5) (e) or 227.26 (2) (f) of the statutes, the bill shall be considered reported without recommendation

and shall be placed before the committee on rules if no report is received from the standing committee within 30 days of the date of referral. This subsection does not apply if the bill is introduced within 30 days of the time at which no further proposals may be introduced in the regular session under joint rule 83 (2).

[(4)(d) am. 1995 A.Res. 2]

ASSEMBLY RULE 17. Claims against the state when presented to a member of the assembly. (1) All claims against the state presented to a member of the assembly shall be submitted in affidavit form in duplicate to the chief clerk for disposition in accordance with section 16.007 of the statutes.

(2) No claim shall be considered by the assembly until it has been reported on by the claims board and then only in bill form.

(3) If the claims board recommends rejection of a claim, a member may resubmit such claim in the form of a bill.

ASSEMBLY RULE 17m. Committee reports; time limits. A committee chairperson shall report a proposal to the assembly within 7 working days after the committee takes executive action on the proposal if the committee recommends that the proposal be adopted, passed or concurred in.

[17m cr. 1995 A.Res. 2]

ASSEMBLY RULE 18. Committee report with recommendations. When the committee to which a proposal was referred makes recommendations, the chairperson shall report in concise form the executive action of the committee. The report shall be signed by the chairperson.

(1) The committee report shall indicate the actual numerical vote on the motion on which the recommendation is based; and the form of such report shall be as illustrated in the following example:

The committee on reports and recommends:

Assembly Resolution 10

A resolution relating to, etc.

Adoption: Ayes, 7; Noes, 1; Absent, 1.

Assembly Joint Resolution 50

A joint resolution relating to, etc.

Rejection: Ayes, 10; Noes, 1.

Assembly Bill 25

AN ACT (relating clause)

Passage: Ayes, 7; Noes, 3; Absent, 1.

Assembly Bill 30

AN ACT (relating clause)

Assembly amendment 1, adoption: Ayes, 11; Noes, 0.

Passage as amended: Ayes, 8; Noes, 3.

Assembly Bill 40

AN ACT (relating clause)

Assembly substitute amendment 1, adoption: Ayes, 6; Noes, 5.

Passage as amended: Ayes, 6; Noes, 5.

Assembly Bill 50

AN ACT (relating clause)

Indefinite postponement: Ayes, 8; Noes, 1.

Senate Bill 10

AN ACT (relating clause)

Concurrence: Ayes, 9; Noes, 0.

Senate Bill 20

AN ACT (relating clause)

Assembly substitute amendment 1, adoption: Ayes, 9; Noes, 1;
Absent, 1.

Concurrence as amended: Ayes, 9; Noes, 2.

Senate Bill 30

AN ACT (relating clause)

Nonconcurrence: Ayes, 9; Noes, 0.

.....
Chairperson

(2) A committee may accept or offer a simple amendment or a substitute amendment and recommend its adoption.

(3) Any amendment referred to a standing committee shall be reported out of committee only if adoption is recommended. An amendment not reported may, upon motion and a majority vote of those present, be revived by the assembly while the proposal is in an amendable stage.

(4) The report of the committee shall be reproduced in the journal.

(5) Whenever a committee offers a proposal for introduction, it shall include in the bill jacket a report in the following form, and shall deposit the jacket with the chief clerk:

Assembly Bill..... (LRB-..... /)

AN ACT (relating clause)

Introduction: Ayes,.... ; Noes,.... .

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

ASSEMBLY RULE 19. **Committee report without recommendation.** (1) A committee may report a proposal without recommendation only:

(a) If a vote for passage, adoption or concurrence is a tie; or

(b) If successive motions for indefinite postponement, rejection or nonconcurrence, and passage, adoption or concurrence fail.

(2) When no recommendation is made, the committee shall report as illustrated in the following example:

The committee on reports:

Assembly Resolution 40

A resolution relating, etc.

Without recommendation [rule 19].

Assembly Bill 90

AN ACT (relating clause)

Without recommendation [rule 19].

Senate Bill 50

AN ACT (relating clause)

Substitute amendment 1, adoption: Ayes, 11; Noes, 0.

Without recommendation [rule 19].

.....
Chairperson

(3) The report of the committee shall be reproduced in the journal. Notwithstanding subs. (1) and (2), the chief clerk shall record in the journal that a bill is reported without recommendation whenever the bill is withdrawn from committee under rule 15 (6) prior to the committee's vote on the bill.

[(1)(a) and (b) and (3) am. 1995 A.Res. 2]

ASSEMBLY RULE 20. **Committee reports concerning proposed rules.** Each committee to which a proposed administrative rule is referred under rule 3 (1) (r) 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. The report of the committee shall be reproduced in the journal. Whenever a committee schedules a public hearing or 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 shall be as follows:

(1) For standing committees:

The committee on reports [and recommends]:

Clearinghouse Rule [year]-1

AN ORDER of the.... (name of agency) relating to rules concerning....

PUBLIC HEARING SCHEDULED.

(list date, time and place of public hearing)

Clearinghouse Rule [year]-2

AN ORDER of the.... (name of agency) relating to rules concerning....

MEETING WITH AGENCY REPRESENTATIVE SCHEDULED.

(list date, time and place of meeting)

Clearinghouse Rule [year]-3

AN ORDER of the.... (name of agency) relating to rules concerning....

MODIFICATIONS TO BE MADE BY AGENCY.

Clearinghouse Rule [year]-4

AN ORDER of the.... (name of agency) relating to rules concerning....

MODIFICATIONS RECEIVED FROM AGENCY.

Clearinghouse Rule [year]-5

AN ORDER of the.... (name of agency) relating to rules concerning....

NO ACTION TAKEN.

Clearinghouse Rule [year]-6

AN ORDER of the.... (name of agency) relating to rules concerning....

Objection: Ayes, 5; Noes, 1; Absent, 1.

Clearinghouse Rule [year]-7

AN ORDER of the.... (name of agency) relating to rules concerning....

No objection: Ayes, 6; Noes, 1.

.....
Chairperson

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

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

Clearinghouse Rule [year]-8

AN ORDER of the.... (name of agency) relating to rules concerning....

Concurrence in objection: Ayes, 8; Noes, 1; Absent, 1.

Clearinghouse Rule [year]-9

AN ORDER of the.... (name of agency) relating to rules concerning....

Nonconcurrence in objection: Ayes, 9; Noes, 1.

.....

.....

Cochairpersons

[(intro.), (1) and (2) am. 1995 A.Res. 2]

ASSEMBLY RULE 21. **Ethics and standards of conduct, special committee on.** (1) Any resolution to reprimand, censure or expel an officer or member of the assembly shall be referred to a special committee on ethics and standards of conduct, convened for the purpose of holding one or more public hearings on the resolution and submitting the committee's recommendation to the assembly. The special committee shall consist of 3 members of the majority party and 3 members of the minority party, appointed as are the members of standing committees.

(2) The hearing shall be scheduled as soon as possible, allowing reasonable time to ascertain the facts of the controversy, to furnish a copy of the detailed written charges to the officer or member cited and to permit that person to prepare a proper defense.

(3) At the hearing, the officer or member cited may have the advice of counsel, may offer testimony to mitigate or refute the charges and may cross-examine any witness testifying in support of the charges.

(4) With the consent of the officer or member cited, the committee may vote to close parts of the hearing to the public.

(5) Promptly after the conclusion of the hearing, the committee shall return the resolution to the assembly together with a written report containing the committee's recommendation for action on the resolution.

(6) Following assembly action on the committee's report, by passage or rejection of the resolution, referral of the resolution to a standing committee or return of the resolution to its primary author, the special committee on ethics and standards of conduct shall be discharged.

[cr. 1989 A.Res. 27]

ASSEMBLY RULE 23. **Committee on assembly organization.** (2) CORRECTIONS PRIOR TO THIRD READING. Any proposal ordered to a 3rd reading shall be examined by the chief clerk for the purpose of correcting grammatical, structural or other errors in the proposal. The clerk shall call any proposal found to contain errors which alter its real intent to the attention of the committee on assembly organization and the committee shall report any required corrections to the assembly in the form of amendments. When corrective amendments are reported by the committee, the affected proposal automatically and temporarily reverts to the engrossing stage for the limited purpose of considering the corrective amendment.

(3) CORRECTIONS IN ENROLLING. Whenever in the process of enrolling the chief clerk or the legislative reference bureau discovers an error in a proposal which alters its real intent, this fact shall be reported to the committee on assembly organization. If the committee concurs with the judgment of the clerk or bureau, the committee shall introduce a joint resolution to recall the proposal for further legislative action.

(4) ENROLLED BILL TO GOVERNOR. On motion of the assembly or by directive of the speaker, any assembly bill which has been correctly enrolled may be immediately messaged to the office of the governor.

[(4)(title) cr. 1991 A.Res. 2]

ASSEMBLY RULE 24. Committee on rules. (1) The committee on rules shall consist of the speaker, speaker pro tempore, majority leader, assistant majority leader, majority caucus chairperson, minority leader, assistant minority leader, minority caucus chairperson and 2 members from the majority party and 2 members from the minority party appointed by the speaker.

(2) The committee shall function both as a standing committee and as a calendar scheduling committee.

(a) For all proposals previously reported to the assembly by any standing committee, action of the committee on rules shall be governed by those requirements and limitations provided in these rules which pertain to establishing calendars and special orders of business.

(b) For all other proposals, action of the committee on rules shall be governed either by the rules for establishing calendars and special orders or by the rules which apply to the consideration of proposals by standing committees.

(3) Whenever a proposal has been referred to the committee on rules, after having been reported to the assembly by another standing committee, the committee may:

(a) If the proposal should have been referred to a joint survey committee or the joint committee on finance but was not so referred, return the proposal to the speaker for referral.

(b) If the proposal is not referred under par. (a), refer the proposal to an appropriate order on a calendar dated at least 2 days after such referral.

(4) Notwithstanding sub. (3) (b), any proposal in the committee on rules in the final week of the regularly scheduled floorperiod in the even-numbered year may be placed on any calendar for that floorperiod.

(5) Any veto referred to committee may be referred by the committee on rules to a calendar of a regularly scheduled floorperiod or veto review session.

[(1) am. 1989 A.Res. 11]

[(1) am. 1995 A.Res. 12]

[(2)(a), (b) am. 1999 A.Res. 3]

Chapter 3: DAILY SESSIONS

ASSEMBLY RULE 25. Admission to the floor of the assembly. Members of the legislature, elected state officers, and only the following other persons, shall be admitted

to the assembly floor within guidelines determined by the speaker during any session or for one-half hour before and immediately after any session. However, none of the following listed persons shall have the privilege of the floor if registered as a lobbyist or directly or indirectly engaged in defeating or promoting any legislation before the assembly:

(1) The members of congress, justices of the supreme court and former members of the legislature.

(2) The elected officers of the assembly and those delegated by them to perform functions in or about the chambers.

(3) Representatives of news media that regularly publish or broadcast reports available to the general public who are actively engaged in reporting the proceedings of the assembly, except that during the sessions of the assembly the privilege shall extend only to the designated press area.

(4) Any person invited onto the floor by the presiding officer or by action of the assembly.

(5) Contestants for disputed assembly seats have the privilege of the assembly floor, but only when the question before the assembly involves the disputed election.

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

[(1) am. 1999 A.Res. 3]

ASSEMBLY RULE 26. Conduct in the chamber. (1) The presiding officer shall preserve order, decorum and quiet on and about the assembly floor during sessions.

(2) While the presiding officer is addressing the assembly or submitting a question, no member shall cross or leave the floor. While a member is speaking, no other member shall walk between the speaking member and the presiding officer.

(3) No person may read any printed newspaper on the assembly floor or in the visitor galleries while the assembly is in session.

(4) No person may consume food on the assembly floor or in the visitor galleries.

(5) No person may smoke on the assembly floor or in the visitor galleries.

(6) (a) Except as provided in par. (b), no person may use a 2-way commercial mobile radio service (such as a cellular telephone or personal communications service) device in the assembly chamber, other than in the parlor, lobbies, offices of the speaker, majority leader and minority leader and hallways.

(b) Paragraph (a) does not apply to:

1. A member of the capitol police or a law enforcement officer.

2. The assembly sergeant at arms or a person acting at his or her direction.

3. A person authorized by motion of the speaker adopted by majority vote of the members present and voting.

(7) No person, except a person specified in rule 25 (3), may possess or use in the assembly chamber a microphone designed to pick up conversation more than 10 feet away from the microphone.

[(5) am. 1991 A.Res. 2]

[(4) and (5) am. 1995 A.Res. 2]

[(6) and (7) cr. 1997 A.Res. 2]
[(3) am. 1999 A.Res. 3]

ASSEMBLY RULE 27. Absences and leaves. No member may be absent from any daily session without a leave of absence. One member may request a leave for another.

ASSEMBLY RULE 28. Hour for convening. Unless a different hour is prescribed by law, resolution or motion, the assembly, upon a simple motion to adjourn, shall convene at 9 a.m. on the next legislative day; except that if such day is the first legislative day of any week, the hour of convening shall be 10 a.m.

[(title) am. 1995 A.Res. 2]
[(title) am. 1997 A.Res. 2]

ASSEMBLY RULE 29. Assembly calendar. The assembly's calendars shall be prepared by the chief clerk under the supervision of the committee on rules.

(1) Each calendar shall be dated, shall list all regular orders of business specified in rule 31, and shall list under the proper order of business the proposals referred to such calendar by the presiding officer, by the committee on rules or by action of the assembly, and any other business placed on the calendar under these rules in the sequence in which referred to the calendar.

(a) For each proposal, the calendar shall show the name of the author and of any coauthors or cosponsors, and the full text of the proposal's relating clause.

(b) For each motion for reconsideration, the calendar shall show the name of the maker of the motion.

(c) For every proposal before the assembly for 2nd reading, the calendar shall set forth all pending committee reports in chronological order.

(d) Following the regular orders of business, each calendar shall list all special orders of business which, at the time the calendar is compiled, have been scheduled by the assembly.

(2) Unless otherwise ordered by the committee on rules, calendars shall be prepared for every day of each regularly scheduled floorperiod excluding Saturdays, Sundays and legal holidays.

(3) A calendar, except a calendar for a Saturday, Sunday or state holiday specified in s. 230.35 (4) (a) of the statutes, shall be provided to each member at least 18 hours before the calendar is to be acted upon.

(4) Unless otherwise ordered, after completion of the 4th order of business on the calendar for the current date, and prior to consideration of the 5th and succeeding orders on that calendar, unfinished matters entered under orders of business on previous calendars shall be taken up and completed in order by order of business and calendar date.

[(3) am. 1993 A.Res. 16]
[(3) am. 1997 A.Res. 2]
[(3) am. 1999 A.Res. 3]

ASSEMBLY RULE 30. Call of the roll; quorum. (1) The call of the roll to record attendance shall be taken in the same manner as a roll call vote. A list of those present and

absent shall be entered in the journal. A member who arrives late may, with the approval of the assembly, be recorded as present.

(2) Unless otherwise required by the state constitution, a majority of the current membership constitutes a quorum for the transaction of business.

(3) A number smaller than a majority of the current membership may, however, adjourn the assembly or compel the attendance of absent members.

ASSEMBLY RULE 31. Regular orders of business. Following any opening prayer and salute to the flag, the regular orders of business shall be as follows:

- (1) **FIRST ORDER.** Call of the roll.
- (2) **SECOND ORDER.** Introduction, first reading and reference of proposals.
- (3) **THIRD ORDER.** Committee reports and subsequent reference of proposals.
- (4) **FOURTH ORDER.** Messages from the senate, and other communications.
- (5) **FIFTH ORDER.** Consideration of conference committee reports and vetoes.
- (6) **SIXTH ORDER.** Consideration of senate action on proposals approved by the assembly.
- (7) **SEVENTH ORDER.** Consideration of motions for reconsideration of passage, indefinite postponement, concurrence or nonconcurrence.
- (8) **EIGHTH ORDER.** Consideration of resolutions.
- (9) **NINTH ORDER.** Third reading of assembly proposals.
- (10) **TENTH ORDER.** Third reading of senate proposals.
- (11) **ELEVENTH ORDER.** Second reading and amendment of assembly proposals.
- (12) **TWELFTH ORDER.** Second reading and amendment of senate proposals.
- (13) **THIRTEENTH ORDER.** Motions may be offered.
- (14) **FOURTEENTH ORDER.** Announcements.
- (15) **FIFTEENTH ORDER.** Adjournment.

[(7) am. 1995 A.Res. 2]

[(8), (9), (10), (11), (12), (13) ra. 1997 A.Res. 2]

ASSEMBLY RULE 32. Variations in the regular order; special orders. The regular order of business may be interrupted or changed under the following conditions:

(1) At the discretion of the presiding officer, at any time during the session except while the assembly is voting, but only under the following conditions:

(a) Messages from the senate or from the governor may be received and read, and any proposal referenced in such messages which is a senate proposal initially received for consideration of the assembly shall be referred and any other proposals referenced in such messages shall be taken up immediately unless referred by the presiding officer to a standing committee or to the calendar;

(b) Proposals may be introduced and referred when a report, showing the number and relating clause of the proposals offered for introduction and the speaker's referral of each such proposal, has been provided to the members; or

(c) Proposals reported by one committee may be given subsequent reference to another committee or may be referred to the calendar when a report, showing the number and relating clause of such proposals and the speaker's subsequent referral of each such proposal, has been provided to the members.

(2) When the assembly is scheduled to meet in joint convention with the senate, the presiding officer may interrupt business to await the arrival of the senate. When the senate arrives, the assembly sergeant at arms shall announce such arrival to the presiding officer. The president of the senate or, in the president's absence, the speaker of the assembly shall preside over any joint convention. The assembly chief clerk shall act as the chief clerk of the joint convention.

(3) Whenever any proposal has been made a special order of business, the assembly shall proceed to the special order at the designated time.

(a) Special orders shall have precedence over the regular orders of business and shall be considered in chronological order.

(b) The priority and sequence of special orders shall not be lost either by adjournment or by recess.

(c) Whenever one special order is under consideration, the arrival of the scheduled time for another special order shall not interrupt the discussion of the special order then under consideration.

(4) Whenever the regular order is interrupted for any purpose it shall be resumed at the point of interruption or as provided in rule 29 (4).

[(1)(a) am. 1997 A.Res. 2]

[(1)(intro.), (b), (c) am. 1999 A.Res. 3]

ASSEMBLY RULE 33. Resolutions for special orders of business. At any time after a proposal has been placed on a calendar or referred to or introduced by the committee on rules, that committee may offer a resolution making the proposal a special order of business at a time and on a date specified in the resolution. A single resolution may be used to make several proposals special orders of business.

(1) Any such resolution may limit the time for debate on the proposal or proposals involved.

(a) The majority leader and the minority leader or their designees, respectively, shall serve as floor managers for the proponents and for the opponents of each such proposal.

(b) Within the time limits established by such resolution, the floor managers shall allocate debate time among the members of their respective sides. The floor managers shall inform the speaker of the names of members to be recognized in debate.

(2) A resolution offered by the committee on rules to make a proposal a special order of business is not amendable.

(3) Any resolution offered by the committee on rules to make a proposal a special order is privileged and may be received under any order of business. Such a resolution shall be

taken up and acted upon immediately, ahead of all other proposals then pending. The question before the assembly shall be adoption of the resolution. The only motion in order with regard to any such resolution is the motion to reject. Debate on the questions of adoption and rejection shall be limited to 5 minutes each.

(4) Any special order created by adoption of a resolution under this rule shall be taken up at the time indicated in the resolution or 12 hours following its adoption, whichever is later. Any motion to reconsider an action on such special order shall be taken up immediately unless a different time is set by majority vote for a specific motion to reconsider. The motion to advance the proposal to its 3rd reading and the motion to message the proposal to the other house may be adopted by a majority of the members present and voting.

(5) If ordered to a 3rd reading, any proposal made a special order under this rule shall appear as a continuing special order of business on the calendar for the 2nd legislative day after such order. Any such continuing special order shall be listed by the time and date of the original order and shall take precedence over all other measures which appear on the same calendar except continuing special orders of an earlier time and date.

(6) Any resolution under this rule must be provided to the members before action is taken thereon.

(7) If any bill which is introduced in the assembly or senate under section 227.19 (5) (e) or 227.26 (2) (f) of the statutes is not advanced to a 2nd reading within 40 days of the date of referral to an assembly standing committee, the committee on rules shall introduce a resolution to make the bill a special order of business. This subsection does not apply if the bill is introduced within 40 days of the time at which no further proposals may be introduced in the regular session under joint rule 83 (2).

[(6) am. 1999 A.Res. 3]

Chapter 4: GENERAL PROCEDURES ON PROPOSALS AND RELATED MATTERS

ASSEMBLY RULE 34. Chief clerk receives matters addressed to the assembly. (1) The chief clerk shall receive all proposals, amendments, petitions, committee reports, citations under rules 96 and 97, proposals by administrative agencies under rule 13 (2), communications and all other matters addressed to the assembly and shall dispose of them in accordance with these and the joint rules.

(2) Such matters shall be kept in the sequence received and, if required, be read by the chief clerk under the appropriate order of business in such sequence.

ASSEMBLY RULE 35. Proposals, amendments and reports to be provided before debate. (1) No proposal, conference committee report or veto, except a resolution under rule 33 or 43, may be considered until it has been made available to the members for at least 24 hours excluding Saturdays, Sundays and legal holidays. If the rules are suspended for the consideration of any proposal before it is available, the proposal shall be read at length at least once before its final passage.

(2) When an amendment has not been provided to the members, the amendment shall be read at length to the membership by the chief clerk before the presiding officer states the question of its adoption to the assembly.

(3) When a fiscal estimate for, or joint survey committee report on, a proposal has not been provided to the members, the chief clerk shall read the estimate or report to the membership prior to consideration of the proposal by the assembly.

[(1) am. 1995 A.Res. 2]
[(1), (2), (3) am. 1999 A.Res. 3]

ASSEMBLY RULE 36. Clerical corrections to proposals. (1) The chief clerk and the legislative reference bureau shall:

(a) Correct clerical errors in proposals or amendments, such as errors in spelling, grammatical structure, the improper use of a word and wrong numbering or referencing.

(b) Insert any missing enacting or enabling clause in any proposal before its passage if the same has been omitted.

(c) When necessary, make technical corrections in the title of any proposal so that it shows the sections affected and the subject to which the proposal relates, mentioning appropriations, penalties or rule-making authority if the proposal relates to such matters.

(2) The chief clerk shall enter any correction made under this rule in the history file for the proposal.

[(2) am. 1995 A.Res. 2]

ASSEMBLY RULE 37. Petitions and other documents. (1) Any petition presented to the assembly shall be delivered to the chief clerk and shall be recorded in the journal by number, subject matter, name of the member by whom introduced and name of the communicating person or organization. The presiding officer may refer any petition to a committee for disposition.

(2) All other documents presented to the assembly shall be delivered to the chief clerk who shall, if directed to do so by the presiding officer, state the subject matter of each document, the name of the member by whom it was delivered and the name of the communicating person or organization. The presiding officer may refer such documents to a committee for disposition. All communications among such documents may be reproduced in the journal when so directed by the presiding officer or by order of the assembly.

[(2) am. 1995 A.Res. 2]

ASSEMBLY RULE 38. Assembly publications and copying. All assembly publications and copying shall conform to legislative rules or be as determined by the committee on assembly organization or the joint committee on legislative organization.

[1995 A.Res. 2]

Chapter 5: OFFERING, INTRODUCTION AND DISPOSITION OF PROPOSALS

ASSEMBLY RULE 39. Introduction of proposals. (1) Except as otherwise provided in joint rule 83 (2), any member or standing committee may offer proposals for introduction in the assembly on any day of the biennial legislative session.

(2) Any proposal offered for introduction shall have been prepared by the legislative reference bureau and shall conform to the legislative rules and laws governing form.

(3) No proposal may be received for introduction if changes have been made in the 3-copy set prepared by the legislative reference bureau.

(4) (a) Proposals shall be submitted to the office of the chief clerk for introduction.

(b) The chief clerk shall prepare a report containing the number, relating clause and authors of each proposal to be introduced. The report shall be presented to the speaker for referral under rule 42.

(c) The speaker shall refer a properly jacketed proposal within 7 working days after the office of the chief clerk receives the proposal for introduction or on the final legislative day of the last scheduled floorperiod preceding the veto review session, whichever is earlier. The chief clerk shall publish the referral in the first journal published after the referral is made.

[(3) and (4)(a) and (b) am. 1995 A.Res. 2]

[(4)(c) cr. 1995 A.Res. 2]

[(4)(c) am. 1995 A.Res. 14]

ASSEMBLY RULE 40. Readings of bills. Except as further provided in this rule:

(1) Every assembly bill, and every senate bill received by the assembly for consideration, shall receive a reading on each of 3 separate and nonconsecutive legislative days under the appropriate order of business designated in rule 31.

(2) Unless otherwise ordered, each such reading shall consist of reading the relating clause in the bill's title or on first reading be as provided in rule 42 (2) or (3).

ASSEMBLY RULE 41. Readings of resolutions. (1) Except as further provided in subs. (2) and (3), any assembly joint resolution or resolution, and any senate joint resolution received by the assembly for consideration, shall receive a reading on each of 2 separate and nonconsecutive legislative days under the appropriate order of business designated in rule 31. Unless otherwise ordered, each such reading shall consist of reading the relating clause in the resolution's title or on first reading be as provided in rule 42 (2) or (3).

(2) Any such joint resolution proposing a change in the constitution of this state or the ratification of an amendment to the constitution of the United States shall be given 3 separate readings as provided for bills in rule 40.

(3) Any privileged resolution or joint resolution shall be treated as provided in rules 33 and 43.

ASSEMBLY RULE 42. First reading and reference of proposals. (1) Upon the introduction of any proposal in the assembly, or the initial receipt of a senate proposal for consideration in the assembly, such proposal shall be read for the first time.

(a) Any proposal that requires 2 or more readings shall be referred by the presiding officer to committee, or to the calendar for the 2nd legislative day following the referral, or to the committee on rules.

(b) The presiding officer may refer any proposal that requires referral to more than one joint survey committee simultaneously to several or all of the joint survey committees.

(c) The presiding officer may refer any budget bill offered under section 16.47 of the statutes simultaneously to the joint committee on finance and to the appropriate joint survey committees.

(2) On any legislative day when a report, showing the number and relating clause of proposals offered for introduction together with the speaker's referral, has been provided to the members prior to the 2nd order of business for assembly proposals or the 4th order of business for senate proposals, 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.

(3) (a) Beginning on inauguration day and on any day of the regular biennial session period, proposals may be introduced and referred by the speaker if such action is not in conflict with any limitations imposed by the session schedule or otherwise agreed to by both houses.

(b) Whenever the introduction and referral of an assembly proposal or the receipt and referral of a senate proposal occurs on a day on which the assembly 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.

(c) Within 5 working days after initial referral by the speaker under sub. (1) (a) to a committee, the speaker, with consent of the chairperson and notwithstanding rule 15, may withdraw any bill, joint resolution or resolution from the standing committee to which it is referred and rerefer it to another standing committee or to a special committee. Rereferral under this rule may not be used to satisfy section 13.093 (1) of the statutes.

[(3)(c) cr. 1995 A.Res. 2]

[(3)(c) am. 1995 A.Res. 31]

[(2) am. 1999 A.Res 3]

ASSEMBLY RULE 43. Privileged resolutions. (1) Any resolution or joint resolution relating to the officers, members, former members, procedures or organization of the assembly or legislature shall be privileged in that it may be introduced under any order of business by a member who has the floor and taken up immediately before all other proposals then pending, unless referred by the presiding officer to a standing committee or to the calendar.

(2) Any resolution subject to rule 89 which is referred to the calendar shall be taken up on the 8th order of business on the 2nd legislative day after its introduction notwithstanding the existence of any unfinished calendars.

(3) Any resolution to reprimand, censure or expel an officer or member of the assembly shall identify the charges against the officer or member cited and shall be referred to the committee on ethics and standards of conduct for review under rule 21.

[(3) cr. 1989 A.Res. 27]

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

[(2) am. 1997 A.Res. 2]

ASSEMBLY RULE 44. Vetoes. (1) Upon the receipt of a message from the governor that an assembly proposal has been vetoed in whole or in part, or of a senate message that the senate has passed a vetoed senate proposal or senate proposal vetoed in part, the speaker shall refer the veto to the calendar for the 2nd legislative day thereafter, or to the

(c) The presiding officer may refer any budget bill offered under section 16.47 of the statutes simultaneously to the joint committee on finance and to the appropriate joint survey committees.

(2) On any legislative day when a report, showing the number and relating clause of proposals offered for introduction together with the speaker's referral, has been provided to the members prior to the 2nd order of business for assembly proposals or the 4th order of business for senate proposals, 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.

(3) (a) Beginning on inauguration day and on any day of the regular biennial session period, proposals may be introduced and referred by the speaker if such action is not in conflict with any limitations imposed by the session schedule or otherwise agreed to by both houses.

(b) Whenever the introduction and referral of an assembly proposal or the receipt and referral of a senate proposal occurs on a day on which the assembly 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.

(c) Within 5 working days after initial referral by the speaker under sub. (1) (a) to a committee, the speaker, with consent of the chairperson and notwithstanding rule 15, may withdraw any bill, joint resolution or resolution from the standing committee to which it is referred and rerefer it to another standing committee or to a special committee. Rereferral under this rule may not be used to satisfy section 13.093 (1) of the statutes.

[(3)(c) cr. 1995 A.Res. 2]

[(3)(c) am. 1995 A.Res. 31]

[(2) am. 1999 A.Res 3]

ASSEMBLY RULE 43. Privileged resolutions. (1) Any resolution or joint resolution relating to the officers, members, former members, procedures or organization of the assembly or legislature shall be privileged in that it may be introduced under any order of business by a member who has the floor and taken up immediately before all other proposals then pending, unless referred by the presiding officer to a standing committee or to the calendar.

(2) Any resolution subject to rule 89 which is referred to the calendar shall be taken up on the 8th order of business on the 2nd legislative day after its introduction notwithstanding the existence of any unfinished calendars.

(3) Any resolution to reprimand, censure or expel an officer or member of the assembly shall identify the charges against the officer or member cited and shall be referred to the committee on ethics and standards of conduct for review under rule 21.

[(3) cr. 1989 A.Res. 27]

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

[(2) am. 1997 A.Res. 2]

ASSEMBLY RULE 44. Vetoes. (1) Upon the receipt of a message from the governor that an assembly proposal has been vetoed in whole or in part, or of a senate message that the senate has passed a vetoed senate proposal or senate proposal vetoed in part, the speaker shall refer the veto to the calendar for the 2nd legislative day thereafter, or to the

committee on rules for calendar scheduling, or to a standing committee for review and report.

(2) Notwithstanding the referral of a veto to a standing committee, the committee on rules may schedule the veto for assembly action. When so scheduled, the veto shall be before the assembly and may be passed notwithstanding the objections of the governor even if the standing committee has not submitted its report.

ASSEMBLY RULE 45. Subsequent reference of proposals. (1) Whenever a committee reports on a proposal referred to that committee, the speaker shall refer or rerefer the proposal, except as otherwise provided in subs. (2) and (3), to the calendar for the 2nd legislative day thereafter for 2nd reading or to the committee on rules for calendar scheduling or to another standing or special committee, unless it is his or her judgment that reference of the proposal to the joint committee on finance is required by law or rule and the speaker refers the proposal to that committee. On any legislative day when a committee report, showing the speaker's subsequent referrals, has been provided to the members prior to the 3rd order of business, such report shall not be read by the chief clerk to the members, but the content of the committee report and the speaker's referrals and rereferrals shall be reproduced in the journal.

(2) Any proposal originally referred to the joint survey committee on retirement systems as required by law, and subsequently reported to the assembly, shall be referred by the speaker to a standing committee except the committee on rules and shall, when reported by that committee, be referred as provided in sub. (1).

(3) Any proposal originally referred to the joint survey committee on tax exemptions as required by law, and subsequently reported to the assembly, shall be referred by the speaker either to a standing committee, or to the calendar for the 2nd legislative day thereafter, or to the committee on rules.

(4) When a proposal, during or after consideration by a standing committee or during consideration by the assembly, is found to be without the report of one or more joint survey committees to which it should have been referred, the proposal shall be so referred by the speaker.

(5) Beginning on inauguration day and on any day of the regular biennial session period, proposals may be reported by one committee and referred by the speaker to another committee or to the calendar if such action is not in conflict with any limitations imposed by the session schedule or otherwise agreed to by both houses. Whenever such referral of a proposal occurs on a day on which the assembly does not meet, the chief clerk shall record in the journal the appropriate information concerning the referral.

(6) Except as incidental to calendar scheduling by the committee on rules, the report of a committee of conference may not be referred to committee.

[(6) cr. 1989 A.Res. 2]
 [(3) am. 1991 A.Res. 2]
 [(1) am. 1995 A.Res. 2]
 [(1) am. 1995 A.Res. 31]
 [(1) am. 1999 A.Res. 3]

ASSEMBLY RULE 46. Second reading and amendment of proposals. (1) The purpose of the 2nd reading stage is to consider amendments and perfect the form and content of proposals.

(2) After a proposal receives its 2nd reading, the assembly shall consider every amendment to the proposal recommended in the latest committee report on the proposal and any additional amendments offered after such report unless precluded from consideration under rule 55 (3). If there is no committee report, all amendments shall be considered unless precluded from consideration under rule 55 (3).

(3) Following action on all pending amendments to an assembly bill, or to an assembly joint resolution proposing a change in the state or U.S. constitution and the failure of any motion to indefinitely postpone such proposal, the question shall be: "Shall the proposal be ordered engrossed and read a 3rd time?"

(4) Following action on all pending assembly amendments to a senate bill, or to a senate joint resolution proposing a change in the state or U.S. constitution, and the failure of any motion for nonconcurrence, the question shall be: "Shall the proposal be ordered to a 3rd reading?"

(5) Proposals ordered to a 3rd reading shall be placed on the calendar for the 2nd legislative day thereafter under the appropriate 3rd reading order of business.

[(2), (3) and (4) am. 1995 A.Res. 2]

ASSEMBLY RULE 47. Main question before assembly. (1) When the assembly acts upon the recommendation of a standing committee, the main question shall conform to the recommendation of the committee.

(2) When the committee recommendation is adverse or when a motion for adverse disposition is offered from the floor, and an amendment is subsequently offered and adopted, or revived and adopted, the main question on the proposal shall be stated in the affirmative.

(3) When the assembly fails to adopt an adverse committee recommendation, the main question shall then be stated in the affirmative.

(4) When there is no standing committee report or a standing committee reports a proposal "without recommendation" under rule 19, the main question shall be stated in the affirmative.

ASSEMBLY RULE 48. Third reading and decisions on proposals. (1) The purpose of the 3rd reading stage is to make a final decision on each proposal requiring 3 readings which is submitted to the assembly.

(2) Following the 3rd reading of any bill or of any joint resolution proposing a change in the state or U.S. constitution, and the failure of any motion to indefinitely postpone, reject or nonconcur, the question on assembly bills shall be "Shall the bill be passed?", on assembly joint resolutions shall be "Shall the joint resolution be adopted?", and on senate proposals shall be "Shall the proposal be concurred in?".

[(2) am. A.Res. 2]

ASSEMBLY RULE 49. Adverse and final disposition. (1) Unless reconsidered under rule 73, a proposal, or an amendment as it affects a proposal, is adversely and finally disposed of for the biennial session of the legislature by any of the following results:

(a) Indefinite postponement (assembly bills).

(b) Rejection (assembly amendments, assembly resolutions and assembly joint resolutions).

- (c) Nonconcurrence (senate bills and senate joint resolutions).
- (d) Failure to be ordered engrossed (assembly bills).
- (e) Failure to be ordered to a 3rd reading (senate bills).
- (f) Failure of passage (assembly bills).
- (g) Failure of concurrence (senate bills and joint resolutions).
- (h) Failure to pass notwithstanding the objections of the governor.

(2) Once an assembly proposal has been adversely disposed of, another assembly proposal identical or substantially similar in nature but not more limited in scope shall not be considered by the assembly in that biennial session.

ASSEMBLY RULE 50. Messaging to the senate. (1) Each proposal which passes after a 3rd reading, and each senate proposal adversely disposed of by the assembly, shall be transmitted to the senate immediately after any motion to reconsider such passage or adverse disposition has failed or the time for making such motion has expired, together with a certified report of the assembly's action.

(2) Immediately following adoption of a conference report on a senate proposal, the passage of an assembly bill notwithstanding the objections of the governor, or assembly action on a vetoed senate bill, such proposal shall be transmitted to the senate together with a certified report of the assembly's action.

[(2) cr. 1995 A.Res. 2]

ASSEMBLY RULE 51. Enrolling; further consideration. Enrolled proposals may only be recalled for further action by a joint resolution.

Chapter 6: AMENDMENTS

ASSEMBLY RULE 52. Offering amendments. (1) Amendments to proposals may be offered during the period of time following introduction and preceding a decision on the proposal at the end of the 2nd reading stage, and as authorized by rule 73 (9).

(2) Amendments to amendments may be offered but amendments in the 3rd degree shall not be accepted.

(a) A substitute amendment, if adopted, takes the place of the original proposal; therefore, an amendment to a simple amendment to a substitute amendment is in order.

(b) Solely for the purpose of amending, senate amendments presented to the assembly for concurrence are treated like proposals; therefore, an amendment to a simple amendment to a senate amendment is in order.

(3) Every amendment received by the chief clerk shall be provided as provided by the rules.

[(2)(b) am. 1989 A.Res. 2]

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

[(3) am. 1999 A.Res. 3]

ASSEMBLY RULE 53. Drafting of amendments. Except as authorized in sub. (2), amendments shall be drafted by the legislative reference bureau before being offered for consideration to the assembly, or to any committee by a person other than a member thereof. No amendment prepared by the legislative reference bureau may be received for consideration if changes have been made in the 5-copy set prepared by the bureau. Amendments may be deposited at the chief clerk's office on any day of the legislative session for the purpose of allowing them to be provided prior to the 2nd reading stage for the proposals to which the amendments pertain.

(1) Every amendment shall show the number of the bill or resolution it proposes to amend. The name of each member or committee sponsoring the amendment shall be entered in the history file for the bill. The chief clerk shall number amendments in the order received.

(2) When a proposal is under active consideration by an assembly committee or by the assembly on 2nd reading, floor amendments may be drafted by members as provided by the chief clerk.

(3) Whenever a floor amendment on a form is adopted in committee, the chairperson shall forward a copy to the legislative reference bureau for review and redrafting. When the version of the amendment drafted by the legislative reference bureau is in satisfactory form, the chairperson shall deposit it in the chief clerk's office and the clerk shall substitute it for the original version.

(4) Whenever a floor amendment is offered to the assembly during the 2nd reading stage of a proposal, the chief clerk shall immediately transmit one copy to the legislative reference bureau for review and redrafting.

(a) With the consent of the principal author of a floor amendment, the version of the amendment drafted by the legislative reference bureau shall be substituted for the floor amendment if it has not yet been taken up by the assembly, or if it has failed to be adopted.

(b) Following the commencement of debate on any floor amendment the principal author may request permission to substitute the version of the amendment drafted by the legislative reference bureau for the version provided or read to the membership by the chief clerk. Unless such permission is requested and granted, the substantive text of any floor amendment adopted by the assembly shall remain as provided or read to the membership by the chief clerk, but the legislative reference bureau shall prepare a copy which incorporates any nonsubstantive, technical corrections required by rule 36.

[(intro.), (1), (2), (3), (4) (intro.) and (b) am. 1995 A.Res. 2]

[(intro.), (2), (4) (intro.), (b) am. 1999 A.Res 3.]

ASSEMBLY RULE 54. Germaneness of assembly amendments. (1) General statement: The assembly shall not consider any assembly amendment or assembly substitute amendment which relates to a different subject or is intended to accomplish a different purpose than that of the proposal to which it relates or which, if adopted and passed, would require a relating clause for the proposal which is substantially different from the proposal's original relating clause or which would totally alter the nature of the proposal.

(2) Procedure: The presiding officer shall rule on the admissibility of any assembly amendment or assembly substitute amendment when the question of germaneness is raised, but any such question shall not be in order once an amendment has been adopted.

(3) Assembly amendments which are not germane include:

(a) One individual proposition amending another individual proposition.

(b) A general proposition amending a specific proposition.

(c) An amendment substantially similar to an amendment already acted upon.

(d) An amendment: 1) amending a statute or session law when the purpose of the proposal is limited to repealing such law; or 2) repealing a statute or session law when the purpose of the proposal is limited to amending such law.

(e) An amendment which negates the effect of another assembly amendment previously adopted.

(f) An amendment which substantially expands the scope of the proposal.

(g) An amendment to a bill when legislative action on that bill is by law limited to passage, concurrence, indefinite postponement or nonconcurrence as introduced.

(4) Amendments which are germane include:

(a) A specific provision amending a general provision.

(b) An amendment which accomplishes the same purpose in a different manner.

(c) An amendment limiting the scope of the proposal.

(d) An amendment adding appropriations necessary to fulfill the original intent of a proposal.

(e) An amendment relating only to particularized details.

(f) An amendment which changes the effective date of a repeal, reduces the scope of a repeal or adds a short-term nonstatutory transitional provision to facilitate a repeal.

(5) An amendment to an amendment must be germane to both the amendment and the original proposal.

[(1 am. 1995 A.Rcs. 2]

ASSEMBLY RULE 55. Sequence of considering amendments. (1) Before a proposal is ordered engrossed and read the 3rd time, amendments to that proposal shall be considered in the following sequence:

(a) Substitute amendments offered prior to the present consideration of the proposal shall be considered beginning with the substitute amendment most recently received.

(b) If the first substitute amendment is offered during the consideration of simple amendments to the proposal, the substitute amendment shall be considered before the next simple amendment to the proposal is taken up.

(c) Substitute amendments offered during the consideration of a substitute amendment to the proposal shall be considered in the sequence in which received, but only if no other substitute amendment has been adopted.

(d) Simple amendments shall be considered in numerical sequence.

(2)(a) Whenever a substitute amendment is before the assembly, simple amendments to it shall be considered in numerical sequence prior to action on the substitute amendment.

(b) Whenever a simple amendment is before the assembly, amendments to it shall be considered in numerical sequence prior to action on the simple amendment.

(3) The adoption of one substitute amendment precludes consideration of any other substitute amendment to the proposal.

[(1)(a), (c), (d) am., (b) cr. 1989 A.Res. 2]

Chapter 7: GENERAL RULES OF DEBATE

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

(2) When 2 or more members rise at the same time, the presiding officer shall announce the order that the members may speak. Any such decision is final.

(3) All efforts to be recognized shall be through the presiding officer, including recognition to ask a question or secure the floor from a member addressing the assembly.

[(1) am. 1991 A.Res. 3]

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

ASSEMBLY RULE 57. Interruptions. (1) Once a member has been recognized and has the floor, the member may speak without interruption unless questions arise which require immediate consideration. Such questions are:

(a) A question of assembly privilege [rule 61 (1)].

(b) A question of personal privilege [rule 61 (2)].

(c) Raising a point of order and appeals therefrom [rule 62].

(d) Raising a question of quorum [rule 30].

(e) Rising to make a parliamentary inquiry.

(f) Rising to ask whether the member who has the floor will yield to a proper question. The member who has the floor may yield to a proper question even if the member obtained the floor for the purpose of making a motion or raising a question which is not debatable.

(g) Calling for a special order of business [rule 32].

(h) Requesting a division of the question [rule 80].

(2) At the conclusion of any interruption under sub. (1), the floor returns to the interrupted member unless the question on which the member was speaking is no longer before the assembly.

[(1)(h) cr. 1989 A.Res. 2]

ASSEMBLY RULE 58. Calling a member to order. (1) During debate, a member may question the orderliness of the remarks made by another member or whether the other member, in the manner of discussion or conduct, has violated the rules of the assembly.

(2) When the presiding officer calls a member to order, that member shall not speak, except in explanation, until it is determined whether or not the member is in order.

(3) When a member is called to order for the use of improper or disorderly language, the specific words to which exception has been taken shall be put in writing, thus enabling the presiding officer better to be able to judge whether the words spoken were in violation of the rules.

ASSEMBLY RULE 59. Conduct during debate. Unless permission is given by unanimous consent or the affirmative vote of two-thirds of the members present, no member may:

(1) Speak when not in his or her assigned place.

(2) Speak more than twice on the same question, even if the question is continued to another day.

(3) Display documents or exhibits or read aloud from documents other than from the proposal then under debate or any amendment thereto, or from any statute, session law, constitutional provision, assembly rule or joint rule directly related to the proposal or its amendments.

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

ASSEMBLY RULE 60. Debate on delayed calendars. (1) Whenever the assembly has one or more calendars pending of a later date than the calendar on which the assembly is then working, debate is limited, as follows:

(a) No member may speak for more than 5 minutes on any question.

(b) No question may be considered for more than 20 minutes.

(2) The limitations under sub. (1) do not apply to proposals made a special order of business by the adoption of a resolution offered by the committee on rules.

ASSEMBLY RULE 61. Questions of privilege. Questions of privilege are under the immediate control of the presiding officer and the assembly. Such questions pertain to the rights, integrity and safety of the assembly collectively, to the rights, reputation or conduct of members of the assembly in their representative capacity, or to the conduct of government in general.

(1) "ASSEMBLY PRIVILEGE": With recognition by the presiding officer, any member may raise and discuss a question pertaining to the safety, dignity, decorum, comfort, rights, organization, or officers of the assembly which requires immediate attention.

(2) "PERSONAL PRIVILEGE": With recognition by the presiding officer, any member may rise to explain a personal matter which affects the rights, reputation and conduct of the member in his or her representative capacity. No pending question may be discussed in any such explanation.

(3) "SPECIAL PRIVILEGE": Any member desiring to make a statement on a matter other than one of assembly or personal privilege may rise and, with recognition by the presiding

officer and within any time limits determined by the presiding officer or the assembly, may discuss any subject relative to state or local government, the conduct of public officials in relation to their official duties or other matters concerning the public welfare, or any question pertaining to the rights of the assembly collectively, its safety, dignity or the integrity of its proceedings.

(4) (a) A member may raise a question of assembly or personal privilege at any time. Questions of assembly privilege take precedence over questions of personal privilege and both take precedence over all other questions except a motion to adjourn, a call of the assembly, a motion to lift a call of the assembly, or a motion to recess.

(b) Questions of special privilege may not be raised when any matter is under consideration by the assembly.

(5) Questions of assembly or personal privilege have precedence only insofar as they require immediate consideration.

(6) Once a question of privilege is before the assembly, it is subject to debate and to all proper motions. When the question of privilege has been disposed of, the business of the assembly is resumed at the point at which it was interrupted.

ASSEMBLY RULE 62. Points of order and appeals. (1) A member may raise a point of order at any time except while a motion to adjourn is before the assembly.

(2) No member may speak more than once on any point of order.

(3) The presiding officer may speak on points of order in preference to others and may:

(a) Immediately announce and explain a ruling on a point of order which has been raised; or

(b) Defer such ruling by taking a point of order under advisement.

1. When the point of order concerns a proposal or a question currently pending on such proposal, taking the point of order under advisement shall remove the proposal from further consideration until the presiding officer announces the ruling on the point of order.

2. When the point of order concerns an amendment, taking the point of order under advisement removes from further consideration until a ruling on the point of order is made only the specific amendment.

3. When the point of order concerns an amendment to an amendment, taking the point of order under advisement removes from further consideration until a ruling on the point of order is made only the amendment to the amendment, except that the original amendment is also removed from further consideration once all other amendments to the amendment have been disposed of.

4. All points of order involving amendments, or amendments to amendments, must be disposed of before the assembly proceeds to any question of lesser precedence (see rule 65).

(3m) The presiding officer shall rule on a point of order within 7 legislative days after the point of order is raised or on the final legislative day of the last scheduled floor period preceding the veto review session, whichever is earlier.

(4) A point of order is timely only if raised before the question it concerns is decided.

(5) A point of order questioning the validity of a senate action on a proposal before the assembly is not in order.

(6) Any member may appeal a ruling of the presiding officer on any point of order. When an appeal is made, the question shall be: "Shall the decision of the chair stand as the decision of the assembly?"

(7) Appeals are debatable and shall be decided by a majority on a roll call vote. The presiding officer may vote on appeals.

[(3m) cr. 1995 A.Res. 2]

Chapter 8: MOTIONS AND OTHER ACTIONS DURING DEBATE

ASSEMBLY RULE 63. Putting a motion. When a motion is made, it shall be stated by the presiding officer or read by the chief clerk prior to debate.

ASSEMBLY RULE 64. Seconding. Whenever a requested action is required to be seconded, immediately after the request is made, the presiding officer shall ask if there are sufficient seconds. Any member wishing to be a second shall then stand in his or her assigned place until counted. The presiding officer shall count the seconds and immediately announce whether or not there are sufficient seconds for the request to be granted by the assembly.

ASSEMBLY RULE 65. Privileged and subsidiary motions and requests during debate. (1) When a main question is under debate the following privileged motions and requests are in order if appropriate under the rules governing motions, requests and proposals:

- (a) To suspend the rules [rule 90].
- (b) To request a call of the assembly [rule 83].
- (c) To adjourn [rule 70].
- (d) To adjourn to a fixed time [rule 70].
- (e) To lift a call of the assembly [rule 87].
- (f) To recess.
- (g) To raise a question of assembly privilege [rule 61 (1)].
- (h) To raise a question of personal privilege [rule 61 (2)].
- (i) To introduce and ask consideration of a privileged resolution [rules 33 and 43].

(2) When a main question is under debate the following subsidiary motions are in order if appropriate under the rules governing motions and proposals:

- (a) To lay on or take from the table [rule 74].
- (b) To end debate [rule 71].

- (c) To postpone to a day or time certain [rule 72].
- (d) To refer to a standing committee [rule 72].
- (e) To refer to a special committee [rule 72].
- (f) To revive an amendment [rule 18 (3)].
- (g) To amend, if the proposal or motion is amendable [rules 52 to 55 and 70 (2) and (4)].
- (h) To postpone indefinitely, reject or nonconcur in a proposal [rules 49 and 72].

(3) The motions and requests listed in subs. (1) and (2) have precedence in the order in which they are listed. While any motion or request is pending, motions or requests of the same or lower precedence are not in order, except that:

- (a) Amendments may be offered while other amendments are under consideration;
- (b) Amendments to amendable motions are in order as long as no question of higher precedence is pending; and
- (c) Any amendment may be rejected or tabled.

(4) If any motion is made while no other question is before the assembly, or is made subject to qualifications not specifically authorized in these rules, such motion loses its precedence and becomes a main motion, subject to the rules that apply to main motions.

(5) The right of members to debate a question and make motions and requests relating thereto ceases when the presiding officer has called for the "ayes" or directed the chief clerk to open the roll.

[(2)(e), (g) am. 1999 A.Res. 3]

ASSEMBLY RULE 66. Incidental motions, requests and questions during debate.

(1) In addition to the motions and requests listed in rule 65 (1) and (2), and subject to the limitations imposed by other rules, the following incidental motions, requests and questions are in order while a proposal or question is under debate:

- (a) A point of order and appeal therefrom [rule 62].
- (b) A question of quorum [rule 30].
- (c) A request that a member be called to order [rule 58].
- (d) A parliamentary inquiry.
- (e) A request or motion for a leave of absence [rule 27].
- (f) A request or motion by the maker of a pending motion that it be withdrawn, provided that rule 73 (6) does not apply.
- (g) A request or motion by the author of a pending amendment that it be withdrawn and returned to the author.
- (h) A request or motion to be excused from voting for special cause [rule 77].
- (i) A request for a roll call vote when one is not required [rule 76 (3)].

- (j) A request for a division of a question [rule 80].
- (k) A request that a member yield to a question [rule 57].
- (L) The entering of a motion to reconsider an amendment [rule 73].

(2) The motions, requests and questions listed in sub. (1) have no order of precedence, can be initiated at any time they are timely, and shall be disposed of before any question to which they relate is returned to or any other incidental motion, request or question is entertained.

ASSEMBLY RULE 67. Nondebatable motions. Any motion to adjourn, recess, end debate, or suspend the rules, and all incidental questions relating to such motions including appeals, shall be decided without debate.

[am. 1995 A.Res. 2]

ASSEMBLY RULE 68. Amendments to motions to be germane. Amendments to amendable motions shall comply with the rules of germaneness in rule 54.

ASSEMBLY RULE 69. Dilatory motions. (1) When it appears to the presiding officer that any motion or procedure is being used for the purpose of delay, the presiding officer shall declare it dilatory and out of order.

(2) Two consecutive identical motions are dilatory unless significant business has intervened between the motions.

(3) Two consecutive motions to adjourn shall not be in order unless other significant business has intervened between the motions or unless there is no other business pending before the assembly.

(4) While a motion remains undecided pending the chair's ruling on a point of order taken under advisement, it is dilatory to enter a substantially similar motion on the same question, but it is proper to request an expansion of the question under advisement.

ASSEMBLY RULE 69m. Motion to recess. A motion to recess to a day of the year other than the day of the year on which the motion is made shall be treated the same as, and has the same effect as, a motion to adjourn.

[cr. 1995 A.Res. 2]

ASSEMBLY RULE 70. Adjourning. (1) A motion to adjourn is always in order including when the assembly is under call, but not while the assembly is voting or another member has the floor or while the assembly has recessed for a party caucus and is not under call.

(2) A motion to adjourn to a fixed time other than that prescribed by rule 28 is debatable and amendable as to the proposed time for convening.

(3) A simple motion to adjourn is not debatable or amendable.

(4) A motion to fix the time for convening the next daily session may be amended by altering the time. The motion is debatable and in order only when there is no other main question before the assembly.

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

ASSEMBLY RULE 71. Ending debate. (1) When a proposal is under consideration, any member who obtains the floor may move that debate on the proposal be ended. Any such

motion shall be seconded by at least 15 members, shall not be debated, and shall be decided by a roll call vote.

(2) If the motion prevails, debate on the proposal shall be ended and all pending and subsequently entered motions concerning the proposal shall be decided without debate in the order prescribed by these rules.

ASSEMBLY RULE 72. Postponing; rejecting; referring. When a motion to postpone to a day or time certain, to postpone indefinitely, to reject, to nonconcur or to refer to a specific standing or special committee has failed, it may not be allowed again on the same day at the same stage in the consideration of that proposal.

[am. 1989 A.Res. 2]

ASSEMBLY RULE 73. Reconsidering. A motion to reconsider an assembly decision on any question may only be made by a member who voted with or was paired with the side which prevailed on that question, except that in the case of a tie vote or voice vote any member may move reconsideration.

(1) The motion to reconsider:

(a) May be applied only to: 1) final assembly decisions on amendments; and 2) final assembly decisions on proposals made at the conclusion of any given stage of a proposal's consideration.

(b) May not be applied to: 1) the assembly's approval of a conference committee report; 2) the assembly's decision on a veto; or 3) an assembly action to recede from its position on a proposal so as to agree with the position of the senate.

(2) (a) A motion to reconsider any decision other than passage or concurrence may only be entered after the question to which it relates has been decided and must be entered either: 1) before the relating clause of the next proposal is read by the clerk, the next order of business is announced by the presiding officer, or other business is begun; or 2) on the 13th order of business on the next roll call day.

(b) For any decision other than passage, adoption, concurrence, indefinite postponement, rejection or nonconcurrence, the motion for reconsideration shall be considered when the proposal is next regularly scheduled for consideration.

(3) (a) A motion for reconsideration of the vote by which a proposal is passed, adopted, concurred in, indefinitely postponed, rejected or nonconcurred in may be entered: 1) before the relating clause of the next proposal is read by the clerk, the next order of business is announced by the presiding officer, or other business is begun; or 2) on the 13th order of business on the next roll call day. Any motion to reconsider such final action shall be taken up immediately if the roll call day on which it is entered is already the 2nd or a later actual day following the vote constituting final action on the proposal, but consideration of any other motion for reconsideration of such final action, entered on the roll call day following the day on which the final action was taken, shall be laid over and placed on the calendar for the first legislative day which occurs at least 2 calendar days after the decision was made.

(b) On the final legislative day of the last scheduled floorperiod preceding the veto review session in any legislative biennium, any pending motion to reconsider shall be taken up on the 7th order of business on that day. Any motion to reconsider entered subsequently may be taken up at any time on such day by majority vote.

(4) (a) A motion to reconsider the decision on an amendment shall be placed on the same calendar as the motion to reconsider the final 2nd reading stage decision on the proposal to which the amendment relates, regardless of when made. The failure of any calendar that has been provided to members to show any such motion to reconsider a decision on an amendment shall not prevent the consideration of such motion under the proper order of business on that calendar day.

(b) Reconsideration of decisions on amendments shall follow the sequence in rule 55 for consideration of amendments.

(c) No motion to reconsider a decision on any amendment may be considered unless the final decision on the proposal at the end of the 2nd reading stage is reconsidered, returning the proposal to the amendable stage. If the engrossed proposal consists of a substitute amendment, with or without adopted amendments, both the vote to engross and the vote to adopt the substitute amendment must be reconsidered in order to return the proposal to the amendable stage.

(5) The decision on any motion to reconsider is final and may not be reconsidered, but motions to reconsider subsequent decisions on the same proposal, at the same or a later stage, shall be in order if otherwise permitted under this rule.

(6) Once a motion to reconsider has been entered, it may only be withdrawn by the member who made the motion and only before the expiration of the time period for making the motion unless thereafter authorized by the assembly.

(7) A motion to reconsider is only debatable when the question to which it relates is debatable. In any such debate, no member may speak more than once nor for more than 3 minutes.

(8) The adoption by both houses of a joint resolution returning a proposal to the assembly for further action returns the proposal to the stage specified in the resolution. The adoption of a motion for reconsideration shall not be required to reach that stage.

(9) When a motion to reconsider has been entered in order to return a proposal to the amendable stage, the maker of the motion may offer one new amendment to that proposal for introduction and provision to the members.

(10) The entering of a motion for reconsideration does not impair the effectiveness of any adopted resolution relating to the officers, members, procedures or organization of the assembly.

[(1)(b), (2), (3)(a), (4)(a) and (c) and (6) am. 1995 A.Res. 2]

[(2)(a), (3)(a) am. 1997 A.Res. 2]

[(4)(a), (9) am. 1999 A.Res. 3]

ASSEMBLY RULE 74. Tabling; taking from table. A motion to table disposes of a matter temporarily. The committee on rules may refer any tabled matter to an appropriate calendar. Unless such referral has been made, a tabled matter may be taken from the table at any time by order of the assembly.

(1) A motion to table a matter is only in order if the matter is currently before the assembly.

(2) A motion to table or to take from the table may not be amended, but may be debated for not exceeding 10 minutes. In debating a motion to table or to take from the table, no member may speak for more than 2 minutes.

(3) A motion to table may not be applied to procedural motions, except that a motion to withdraw a proposal from committee may be tabled if the motion to withdraw does not involve a suspension of the rules.

[(title) and (2) am. 1995 A.Res. 2]

Chapter 9: PUTTING QUESTIONS AND VOTING

ASSEMBLY RULE 75. **Stating the question.** The presiding officer shall state the question before the assembly before taking any vote.

(1) Questions shall be stated substantially as follows:

(a) On 2nd reading:

1. "Shall Assembly Bill be (ordered engrossed and read a 3rd time) (indefinitely postponed)?"

2. "Shall Senate Bill be (ordered to a 3rd reading) (nonconcurring)?"

3. "Shall amendment to Assembly (Senate) Bill be (adopted) (rejected) (laid on the table) (taken from the table)?"

(b) On 3rd reading:

1. "Assembly Bill, having been read 3 times, shall the bill be (passed) (indefinitely postponed)?"

2. "Senate Bill, having been read 3 times, shall the bill be (concurring) (nonconcurring)?"

3. "Assembly Joint Resolution, having been read 3 times, shall the joint resolution be (adopted) (rejected)?"

4. "Senate Joint Resolution, having been read 3 times, shall the joint resolution be (concurring) (nonconcurring)?"

(c) On a motion for reconsideration: "Shall the vote by which (Assembly) (Senate) bill was (ordered to a third reading, indefinitely postponed, passed, etc.) be reconsidered?"

(d) On a conference report: "Shall the report of the committee of conference on Assembly (Senate) Bill be (approved) (rejected)?"

(2) The call for the vote shall be stated substantially as follows:

(a) If a voice vote: "All those in favor of signify by saying 'aye'; those opposed, 'no'."

(b) If a roll call vote: "All those in favor of will vote 'aye'; those opposed, 'no'. The clerk will open the roll (call the roll)."

[(1)(a) 3. am. 1995 A.Res. 2]

[(1)(d) cr. 1995 A.Res. 2]

ASSEMBLY RULE 76. **Voting.** (1) Unless otherwise required by the state constitution, by law, or by legislative rule, all questions shall be decided by a majority of a quorum.

(2) Unless a roll call vote is required by the state constitution, by law, or by legislative rule, any question before the assembly may be decided by voice vote. The presiding officer shall decide and announce the outcome of each voice vote and, when so announced, the decision of the presiding officer is final.

(3) A roll call vote shall be taken when the recording of the "ayes" and "noes" is required by the state constitution, by law, or by legislative rule, when deemed desirable by the presiding officer, or when requested by a member with the support of 15 seconds.

(4) When the voting machine is available, the machine shall be used to record the "ayes" and "noes". When the voting machine is not available, the chief clerk shall call and tally the roll. On all roll call votes, the record produced by the voting machine or the chief clerk's tally shall be official and final.

(5) Only the members present in the assembly chamber may vote.

(6) During a roll call vote, any member may raise the point of order that a member appears to be absent from the chamber but is shown as voting according to the roll call display boards. If the presiding officer rules the point of order "well taken", the vote of the absent member shall not be recorded.

(7) Any interruption of a roll call vote, from the time the voting machine is opened or the calling commenced to the announcement of the official totals by the presiding officer, shall be out of order except to raise a point of order concerning the taking of the vote.

(8) After the voting machine is closed or the calling completed, a member's request to be recorded as voting or as voting contrary to the way shown in the official record shall be shown in the journal but shall not alter the outcome of the roll call vote.

(9) The official record of the roll call vote, and the account of the roll call vote in the daily journal, shall show the names and total number of those voting "aye", of those voting "no", and of those absent or not voting.

ASSEMBLY RULE 77. Voting mandatory; exceptions. When a question is put every member present shall vote either "aye" or "no" unless paired with another member who is absent with leave, or unless the assembly for special cause excuses the member from voting.

ASSEMBLY RULE 78. Presiding officer votes. The presiding officer shall vote and be recorded on all roll call votes.

ASSEMBLY RULE 79. Pairs. Members may pair on any question by filing a signed statement with the chief clerk indicating the questions on which they wish to be paired. The chief clerk shall read the pair to the assembly before the vote is taken. A "pair" form for the use of members shall be provided by the chief clerk.

(1) No pair may be recognized unless one or both of the parties thereto are absent with leave.

(2) If one party to a pair is present and votes, the pair is invalidated.

(3) Pairs are applicable to the main questions on a proposal and do not apply to amendments or procedural motions unless the pair so specifies.

(4) A pair shall not be counted as part of the official result of a vote but shall be recorded.

(5) For the purpose of establishing a qualified majority or quorum, both members of the pair are considered not present.

[(5) cr. 1995 A.Res. 2]

ASSEMBLY RULE 80. Division of the question. (1) Any member may request a division of simple amendments and motions involving distinct and independent propositions or concurrent actions if they are severable without being rewritten or restated, and the question shall be divided if each separate proposition or action to be voted on is complete and proper regardless of the action taken on any other portion of the original question.

(2) If it is the opinion of the chair that the proposed division of a simple amendment is unduly complex or the purpose of the division can be more clearly or simply accomplished by amendment, or that a call for a division is being used as a substitute for a series of amendments, the question shall not be divided.

(3) An amendment to delete certain words and to substitute other words is one indivisible proposition.

(4) Bills, joint resolutions, resolutions and substitute amendments, and amendments received from the senate for assembly concurrence, may not be divided. A bill vetoed in its entirety by the governor may not be divided.

(5) When a bill has been vetoed in part and the assembly considers a specific item for passage notwithstanding the objections of the governor, any member may request that the item be divided. The item may be divided on request by a member if:

(a) The request proposes to so divide the item that each separate proposition, if passed notwithstanding the objections of the governor, will result in a complete and workable law regardless of the action taken on any other part of the original item.

(b) It is the opinion of the chair that the item involves distinct and independent propositions capable of division and that the division will not be unduly complex.

(6) When a bill has been vetoed in part the committee on rules may, by a resolution offered under rule 33, propose to schedule a specific part as a special order. When appropriate, the resolution may divide the part into one or more independent propositions and dependent propositions. The proposed division must include at least one separate proposition which, if passed notwithstanding the objections of the governor, will result in a complete and workable law regardless of the action taken on any other part of the original part. The chair shall first put the question on any such independent proposition. The question on any proposition dependent thereon shall be put only if the independent proposition has been passed notwithstanding the objections of the governor.

[(4) am. 1989 A.Res. 2]

[(4) and (6) am. 1995 A.Res. 2]

ASSEMBLY RULE 81. Tie loses question. Whenever the assembly casts a tie vote, the question shall be lost.

ASSEMBLY RULE 82. Interruptions of clerk during roll call. No person shall visit or remain at the clerk's desk while a roll call vote or tabulation is in progress.

**Chapter 10:
PROCEDURES UNDER CALL**

ASSEMBLY RULE 83. Call of the assembly. (1) Any member who obtains the floor may request a call of the assembly to require absent members to be sent for.

(2) A call of the assembly is in order at any time, including while a motion to adjourn is pending, but not when voting is in progress, or when a request for a leave of absence or a motion to lift a call is pending.

(3) A call of the assembly requires 15 seconds.

(4) On a call of the assembly being requested, the presiding officer shall state substantially: "It requires 15 members to second a call of the assembly; those in favor of the call will rise". If 15 members rise, the call is ordered.

[(4) cr. 1995 A.Res. 2]

ASSEMBLY RULE 84. Members to remain in chamber when under call. When a call of the assembly is ordered, the sergeant at arms shall close the doors and no member may leave the assembly chamber.

ASSEMBLY RULE 85. Sergeant to bring in absentees. When a call of the assembly is ordered, the chief clerk shall immediately call the roll of the members. At the conclusion of the call of the roll the names of absent members shall be read aloud and entered in the journal indicating those absent with leave and those 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 proceed to bring in such absentees.

(1) If summary process is required to secure the attendance of absentees, it shall be carried out as prescribed by law.

(2) Expenses incurred by the sergeant at arms in securing the attendance of absent members may, with the consent of the assembly, be imposed upon such members.

ASSEMBLY RULE 86. Business under call. While the assembly is under call:

(1) Business may be transacted as if there were no call except that no further action may be taken on the specific question under consideration when the call was ordered.

(2) A concurrent call may be ordered on any question taken up after an initial call.

(3) All motions relating to the call, adjournment or any recess shall be decided by a roll call vote.

(4) The sergeant at arms may at any time report on the progress or completion of the call and any such report shall be entered in the journal.

ASSEMBLY RULE 87. Lifting a call. A call of the assembly terminates or is lifted when any of the following occurs:

(1) The sergeant at arms or the chief clerk reports that all who were absent without leave are present.

(2) A motion to lift the call is approved by a majority of the current membership.

- (3) The assembly recesses or adjourns.

ASSEMBLY RULE 88. **Successive calls on same question.** Successive calls on the same question are not in order unless significant business, a recess or an adjournment has intervened.

Chapter 11: CHANGE, SUSPENSION, AUTHORITY OF RULES

ASSEMBLY RULE 89. **Changing assembly rules.** Assembly rules may be rescinded or changed only with the approval of a majority of the current membership by roll call vote.

- (1) Any proposed change of assembly rules shall be introduced as a resolution.

(2) Any resolution affecting assembly rules shall be referred by the presiding officer to the calendar for the 2nd legislative day following introduction, or to a committee. A resolution providing for the adoption of assembly rules at the commencement of a legislative biennium may be taken up immediately upon its introduction if the resolution has been provided to the assembly members-elect of the new legislature at least one week prior to the convening of the session.

[(2) am. 1999 A.Res. 3]

ASSEMBLY RULE 90. **Suspension of the rules.** (1) Any assembly or joint rule may be suspended by the unanimous consent of the members present or by a two-thirds roll call vote of the members present.

(2) When a unanimous consent request is made or a suspension of the rules is moved, the purpose sought to be accomplished thereby shall be stated.

(3) When a unanimous consent request is granted or a motion to suspend the rules prevails, only those rules are suspended which otherwise would prevent the accomplishment of the stated purpose.

(4) A unanimous consent request or a motion to suspend the rules may be made at any time under any order of business by a member who obtains the floor, but not while the assembly is voting.

(5) Unanimous consent requests and motions to suspend the rules shall not be permitted for frivolous, indecorous or clearly dilatory purposes.

[(1)(intro.) and (a) to (d) rn. from (intro.) and (1) to (4) 1995 A.Res. 31]

[(2) to (5) rn. from (1) (a) to (d) 1997 A.Res. 2]

ASSEMBLY RULE 91. **Authority and interpretation of the rules.** The power to make rules governing its procedure is a constitutional power of each house of the legislature. The rules of the assembly, together with the joint rules, shall govern the assembly's parliamentary practice.

(1) In the absence of a pertinent assembly or joint rule, questions of parliamentary procedure shall be decided according to applicable rules of parliamentary practice in Jefferson's manual which are not inconsistent with constitutional or statutory provisions relating to the functioning of the legislature.

(2) Established precedents of both houses, long-established custom, opinions of the attorney general interpreting rules and precedents, and other leading parliamentary authorities such as Mason's manual may be used in the interpretation of both these and the rules in Jefferson's manual.

ASSEMBLY RULE 92. Continuity of assembly rules. The rules of the assembly shall remain in effect until amended or rescinded by the assembly. At the beginning of a new biennial session, the rules of the assembly in effect at the conclusion of the preceding regular session shall remain in force until superseded by assembly rules adopted in the new session of the legislature.

ASSEMBLY RULE 93. Special, extended or extraordinary sessions. Unless otherwise provided by the assembly for a specific special, extended or extraordinary session, the rules of the assembly adopted for the regular session shall, subject to the following modifications, apply to each special session called by the governor and to each extended or extraordinary session called by the assembly and senate organization committees or called by a joint resolution approved by both houses:

(1) No proposal, or amendment thereto, may be considered by the assembly unless it is germane to the session call or pertains to the organization of the legislature.

(2) Proposals may be offered for introduction only by the assembly committees on finance, organization or rules, or by the joint committees on employment relations, finance or organization.

(3) No notice of hearings before committees shall be required other than posting on the legislative bulletin boards, and no schedule of committee activities need be published.

(4) All measures referred to a calendar may be taken up immediately. A calendar need not be provided.

(5) No motion to postpone a proposal to a day or time certain shall be allowed.

(6) All motions to reconsider shall be taken up immediately unless a different time is set by majority vote for a specific motion to reconsider.

(7) All motions to advance a proposal to its 3rd reading, and all motions to message a proposal to the other house may be adopted by a majority of the members present and voting.

[(intro) am. 1991 A.Res. 2]

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

[(4) am. 1999 A.Res. 3]

ASSEMBLY RULE 94. Content, format and style of rules and manual. (1) The assembly manual shall be composed of pamphlets containing these and the joint rules, the session schedule, the state constitution, alphabetical indexes, and other information approved by the speaker or the committee on assembly organization. Whenever directed to do so by the speaker or the committee on assembly organization, the chief clerk shall recompile and republish any pamphlet part. In recompiling the assembly manual or any pamphlet thereof, the chief clerk shall make spelling and other minor corrections and shall consult with the legislative reference bureau to make any references to provisions of the constitution, statutes, joint rules or assembly rules conform to the numbers then assigned to such provisions.

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

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

(b) The chief clerk shall supervise the production of the book of these rules for insertion into the assembly manual.

(c) As directed by the chief clerk, any resolution amending these rules may be engrossed and may be duplicated for distribution.

[(3)(a) and (b) am. 1995 A.Res. 2]

Chapter 12: MISCELLANEOUS

ASSEMBLY RULE 95. Definitions. The following are definitions of the major terms used in these rules or traditionally used in deliberations on the floor.

(1) **ACT:** A bill which has passed both houses of the legislature, been enrolled, approved by the governor or passed over the governor's veto, 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.

(6) **ASSEMBLY CHAMBER:** The entire area west of the easternmost doors of the assembly, including the visitor's galleries, lobbies, offices of the speaker, majority leader and minority leader and hallways.

(7) **BILL:** A proposed change of law originating in either house, requiring approval by both houses of the legislature and the governor, or passage notwithstanding the objections of the governor by a two-thirds vote in each house, before becoming effective.

(8) **CALENDAR:** The assembly agenda for any legislative day.

(9) **CALL OF THE ASSEMBLY OR "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 presiding officer.
- (12) CHIEF CLERK: The assembly officer elected to perform and direct the clerical and personnel functions of the assembly.
- (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 assembly membership 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 and senators appointed to resolve differences on a specific proposal.
- (18) CONTESTED SEAT: An assembly district in which 2 or more persons claim the right to represent the district.
- (20) CURRENT MEMBERSHIP: The members of the assembly omitting those who have resigned, 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 the assembly certified as elected in the last general election, including those who have subsequently resigned, been removed or have died.
- (25) ENGROSSED PROPOSAL: A proposal incorporating all adopted amendments and all approved technical corrections in the house of origin.
- (26) ENROLLED PROPOSAL: A proposal passed and concurred in, incorporating any amendments and corrections approved by both houses.
- (27) EXPUNGE: To remove material from the record and thus undo some assembly action.
- (27m) EXTRAORDINARY SESSION: The convening of the legislature by the assembly and senate organization committees 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 explaining the impact of any proposal on state or local finances.
- (29) FLOOR OF THE ASSEMBLY: That portion of the assembly chamber which is reserved for members, assembly officers and persons granted the privilege of the floor.
- (30) FLOOR AMENDMENT: Any amendment offered for assembly 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 which generally relate to the proceedings, procedures and subsidiary questions during debate, and which 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 for a legislative session in its house of origin.
- (36) INTRODUCTION: The formal presentation of a proposal before the assembly.
- (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 the joint rules; 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 the assembly.
- (42) LEAVE: Permission to be absent from the assembly.
- (43) LEGISLATIVE DAY: Any day 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 assembly. Main questions have lower precedence than privileged, incidental and subsidiary questions.
- (45) MAJORITY: One more than half.
- (46) MANUAL: The publication containing the rules of the assembly, the joint rules, the session schedule, the state constitution, alphabetical indexes and other materials deemed relevant to a representative's job.
- (47) MEMBER: A duly elected representative to the assembly.
- (48) MEMBERS PRESENT: Those members in attendance at a daily session.
- (49) MOTION: A proposed action requiring assembly approval by a vote.
- (50) NONCONCURRENCE: The refusal of one house to agree to a proposal or action of the other.

(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 as long as one or both are absent with leave, and which permits 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 assembly approval of an assembly bill.

(55) **PETITION:** A request that the assembly 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.

(58) **PREVIOUS QUESTION:** A motion that debate be ended on a proposal.

(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 assembly 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 the assembly for consideration.

(61) **QUESTION:** A statement before the assembly for decision.

(62) **QUORUM:** A majority of the current assembly membership, 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, select officers, and to organize itself for the conduct of its business (if the first Monday falls on January 1 or 2, the legislature organizes on January 3). Daily meetings begin in January in each year and continue throughout the biennium until the final adjournment of the session. The term "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 the assembly.

(69) **REQUEST:** A proposed action which does not require a vote because a) unanimous consent has been asked for; b) the action is required if there are sufficient seconds; or c) the presiding officer has the authority to take or order the action requested.

(70) **RESCIND:** An action by which the assembly nullifies an action or actions on a proposal so as to enable it to again consider a proposal from a given stage. When such motion prevails, the assembly resumes its consideration of a proposal at the stage indicated in the motion.

(71) **RESOLUTION, ASSEMBLY:** A proposal a) expressing the opinion of the assembly or b) changing assembly rules.

(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 which govern the conduct of legislative business.

(76) **RULING:** The chair's decision on a point of order.

(78) **SERGEANT AT ARMS:** The officer elected by the members to perform and direct the police and custodial functions in the assembly.

(79) **SINE DIE ADJOURNMENT:** The final adjournment of a legislative session.

(80) **SPEAKER:** A member of the assembly elected by the membership to preside over the assembly and carry out the duties as described in these rules and the statutes.

(81) **SPEAKER PRO TEMPORE:** A member of the assembly elected by the membership to carry out the duties of the speaker in his or her absence.

(82) **SPECIAL COMMITTEE:** A committee created by a resolution, or a special committee or temporary special committee created by a written order of the speaker under rule 10, to investigate specific matters during a session or committee work period, and report to the assembly.

(83) **SPECIAL ORDER OF BUSINESS:** Any proposal ordered by the assembly to be given consideration at a specified time and taking precedence over the regular orders of business at that time.

(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 which change, or delay or accelerate the consideration of a proposal before the assembly. Subsidiary motions have lower precedence than privileged and incidental questions but higher precedence than main motions.

(88) **SUBSTITUTE AMENDMENT:** An amendment which, if accepted, takes the place of the original proposal. The term more accurately describes a "substitute bill" or "substitute resolution".

(89) **SUFFICIENT SECONDS:** The support of 15 members necessary to initiate certain procedures in these rules.

(90) **SUSPENSION OF THE RULES:** A motion requiring two-thirds majority support and by which a special action on a specific proposal is accomplished despite the existence of a rule blocking such action. Any suspension of the rules is temporary.

(92) **UNANIMOUS CONSENT:** A request to suspend the rules for a specific purpose; if no objection is 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".

[(29) am. 1991 A.Res. 2]

[(3), (4), (6) am. 1995 A.Res. 2]

[(27m) and (33m) cr. 1995 A.Res. 2]

[(39), (54), (63), (66), (67), (82) and (84) am. 1995 A.Res. 2]

[(82) am. 1995 A.Res. 31]

[(90) am. 1995 am. 1995 A.Res. 31]

[(6) am. 1997 A.Res. 2]

[(90) am. 1997 A.Res. 2]

[(52) am. 1999 A.Res. 3]

ASSEMBLY RULE 96. Legislative citations. Any proposal for a certificate under joint rule 7 shall, when received by the assembly and whether originating in this house or in the senate, be laid aside to allow time for the committee on assembly organization to examine the proposal for its appropriateness under joint rule 7 (1) and (2). Upon approval by the committee on assembly organization and verbal notification thereof to the chief clerk, and if such proposal has not been objected to by any member of the assembly, such proposals shall then be deemed approved by the assembly. A written committee report is not necessary. If objected to by any member, any motion under joint rule 7 may be brought before the body on the 13th order of business.

[am. 1997 A.Res. 2]

ASSEMBLY RULE 97. Assembly citations. Any member may issue a citation on behalf of the assembly to a particular person or organization or to commemorate a particular occasion as specified in the citation.

(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 the use of citations shall not be abused. The committee on assembly organization may more specifically interpret this rule.

(2) If desired by the issuing representative, a citation on behalf of the assembly may be coauthored by one or more other representatives or cosponsored by one or more senators, but in that case the proposal for issuing the citation shall be signed by each of the coauthors or cosponsors.

(3) The committee on assembly organization shall establish a procedure for reviewing each citation proposed under this rule, but an assembly citation may not be used to declare a special day or to declare a person an honorary citizen.

(4) Any citation on behalf of the assembly shall be signed by the speaker and by the speaker pro tempore. A copy of the finished citation shall be provided to the issuing representative, and another copy thereof shall be filed in the legislative reference bureau.

(5) All citations on behalf of the assembly shall be typed by employes assigned to the chief clerk, shall be prepared on an artistic form approved by the committee on assembly organization, suitable for framing, and shall be in substantially the following form:

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

[(5) am. 1999 A.Res. 3]

(scrollwork incorporating state coat of arms)

CITATION BY THE ASSEMBLY

KNOW YOU BY THESE PRESENTS:

WHEREAS, Glen Popple has served for 31 years as game warden of Kennedy County;
and

WHEREAS, he has devoted many hours; now, therefore,

Representative Robert T. Huber on behalf of the Wisconsin State Assembly, [with the
concurrence of Representative(s)] [and Senators(s),] under Assembly Rule 97,
commends Mr. Popple on his fine service to Kennedy County and

STATE CAPITOL
Madison, Wisconsin

.....
(SPEAKER)

.....
(DATE)

.....
(SPEAKER PRO TEMPORE)

Alphabetical Index

Revised by Legislative Reference Bureau

January 1999

Assembly Rule

A

Absence of members from daily sessions:	
call of assembly	83 (1)
journal lists those present or absent	30 (1)
leaves shall be obtained	27
number smaller than majority may compel attendance of	30 (3)
one member may request leave for another	27
request for leave proper during debate	66 (1)(e)
upon request member arriving late may be recorded as present	30 (1)
Act (definition)	95 (1)
Actions, motions and questions in order during debate	57, 65, 66
Adjourn (definition)	95 (2)
Adjourn, motion to:	
acted on without debate, exceptions	70
always in order except while voting or while assembly recessed for caucus ...	70 (1)
call of assembly may be moved	83 (2)
precedence does not authorize such motion while another member has floor	70 (1)
privilege of motion or request	65 (1)(c), (d)
roll call required when assembly under call	86 (3)
to fix time for convening, debatable and amendable	70 (4)
to fixed other time, debatable and amendable	70 (2)
recess to next day: same as	69m
simple motion not debatable or amendable	70 (3)
two consecutive motions to adjourn not in order	69 (3)
Adjournment:	
in committee of the whole	8 (6), (7)
motion proper at any time, but not while voting or while another member has floor or while assembly recessed for caucus	70 (1)
roll call required for adjournment under call	86 (3)
simple motion adjourns to 9 a.m. (exception); not debatable or amendable	28, 70 (3)
sine die adjournment (definition)	95 (79)
smaller number than quorum may adjourn	30 (3)
terminates call of the assembly (roll call required)	86 (3), 87 (3)
Administrative rules:	
committee for review of; <i>see also</i> ss. 13.56 and 13.565 stats.	3 (1)(r), 5 (1)(u), 9 (6), 20 (2)

how assigned to standing committee for review	3 (1)(r), 13 (2)
legislative history of review of, <i>see</i> joint rule 78	
report by standing committee or JCRAR after review of proposed	20
chief clerk files with agency, senate and JCRAR	5 (1)(u)
report with objections, referral to JCRAR	3 (1)(r)
scheduled for floor action:	
bill to suspend, after 40 days	33 (7)
report, after 30 days	15 (6)
withdrawal of proposed administrative rule, speaker provides	
notice of	3 (1)(r), 13 (2)
withdrawal and rereferral of proposed administrative rule by speaker	13 (2)(b)
Admission to floor of assembly chamber:	
by action of assembly	25 (4)
limitations	25
open from one hour before daily session to one hour	
after daily adjournment	6 (1)(d)
presiding officer may grant	25 (4)
sergeant at arms supervises coming and going	6 (1)(b)
those permitted	25
Adverse and final disposition:	
list of methods	49 (1)
motion not permitted twice on same day at same stage of proposal	72
once determined, substantially similar proposal not to originate in	
assembly in same session	49 (2)
subject to reconsideration only in accordance with rule 73	49 (1)
Advisement:	
presiding officer may take point of order under	62 (3)(b)
question under: may be expanded	69 (4)
Agriculture; committee on	9 (1)(b)
Amend a proposal or motion, precedence of motion for	65 (2)(g)
Amendment:	
amendment to amendment	52 (2), 55 (2)(b)
changing or amending rules requires assembly resolution	89 (1)
committee amendment, redrafting by legislative reference bureau	53 (2), (3)
committee reports out only if adoption recommended	18 (3)
conference report and attachments not amendable, <i>see</i> joint rule 3 (3)	
considered on 2nd reading of proposal	46
corrective, by committee on assembly organization	23 (2), (3)
definition of "amendment"	95 (4)
delete and substitute, proposition indivisible	80 (3)
division, when improper	80 (2)
floor amendments, corrections in	53 (3), (4)
germane:	
list of amendments which are	54 (4)
list of assembly amendments which are not	54 (3)
handwritten changes not permitted in amendments prepared by	
legislative reference bureau	39 (3), 53 (intro.)

history file to show name of member or committee sponsoring	53 (1)
how offered by committee	18 (2), 53 (3)
in order on 2nd reading and before engrossment	52 (1)
in 3rd degree not accepted	52 (2)
may be offered on motion to fix time to which adjournment is taken	70 (2)
may be revived by assembly while proposal is in amendable stage	18 (3), 47 (2)
must be germane to proposal, <i>see</i> Germaneness of amendments	
not permitted on rules committee resolution for special order	33 (2)
numbering of	53 (1)
point of order under advisement: removes amendment from consideration	62 (3)(b)
presentation of floor amendments	53 (2), (3)
presented to chief clerk in proper form	53
provision of	53
reading at length, required when not provided	35 (2)
reconsideration of, proper only after reconsideration of final action on proposal at that stage	73 (4)(c)
reconsideration of proposal, maker of motion may offer an amendment	73 (9)
rejected, not to be reoffered on same proposal	49 (1)(b)
revival by assembly when committee does not recommend adoption ...	18 (3), 47 (2)
precedence of motion for	65 (2)(f)
senate amendment to assembly proposal	52 (2)(b)
simple, sequence of considering	55 (1)(d), (2)(b)
substitute, <i>see</i> Substitute amendment	
to motion, to be germane	68
to substitute amendment, how considered	55 (2)(a)
when offered	52 (1), 53
withdrawn and returned to author	66 (1)(g)
Announcement of public hearing	14 (2)
Appeal (definition)	95 (5)
from ruling of presiding officer (roll call required)	62 (7)
not permitted on presiding officer's announcing order members to speak	56 (2)
Appointment of employes of officers and members of assembly	7 (1)
Appointment of representatives, chief clerk reports	5 (1)(k)
Assembly chamber (definition)	95 (6)
Assembly citation, <i>see</i> Certificate	97
Assembly organization; committee on	9 (3)
approves employe pay plan for assembly	7 (2)
corrective amendment offered by	23 (2)
engrossing or enrolling of proposal, supervises	5 (1)(e), 23 (2), (3)
examines appropriateness of legislative citation	96
permitted to introduce proposals in special, extended or extraordinary session	93 (2)
joint resolution to recall proposal (after passage) for further action	23 (3)
staffing pattern, establishes for assembly	7 (4)
substantive corrections in proposal	23 (2), (3)
supervises copying for assembly	38

Assembly privilege	61 (1)
precedence of question	65 (1)(i)
question of, interrupts debate	57 (1)(a)
Assembly resolution:	
citation, when used in place of resolution	97 (1)
copies to be available 24 hours before consideration unless privileged	35 (1)
division not proper	80 (4)
express considered opinion of assembly, change assembly rules	95 (71)
organizing assembly, not impaired by motion for reconsideration	73 (10)
presentation of	39
privileged when relating to members, procedure or organization	43 (1)
readings required	41
referred to standing committee, next calendar or rules committee, unless privileged	42
rereferred to committee	13 (1)(am), 45
relating to rules of assembly (majority of current membership)	89
may be considered in special, extended or extraordinary session	93
relating to rules of assembly: taken up on 2nd legislative day after introduction	43 (2)
special orders of business established by (12 hours notice required)	33
to reprimand, censure or expel a member, procedure	21, 43 (3)
Assistant majority, minority leader:	
duties	2 (1), (2)
election, removal, term	2 (1)
member of:	
committee on assembly organization	9 (3)
committee on rules	24 (1)
Attendance, roll call vote taken	30 (1)
Audiovisual transmission, committee members considered present	11 (3m)
Audit; committee on; <i>see also</i> s. 13.53 stats.	9 (5)
Authority of rules of assembly; <i>see also</i> art. IV, sec. 8, Wis. Con.	91
Ayes and noes on roll call vote shown in journal	76 (9)

B

Bill:	
committee introduction of	18 (5)
copies to be available 24 hours before consideration	35 (1)
corrective amendment by committee on assembly organization	23 (2), (3)
definition of "bill"	95 (7)
division not proper	80 (4)
enacting clause, inserted when missing	36 (1)(b)
granting rule-making authority, relating clause	36 (1)(c)
handwritten changes not permitted	39 (3)
how treated when offered	40
legislative reference bureau to prepare	39 (2)
making an appropriation, relating clause	36 (1)(c)
point of order under advisement: removed from consideration	62 (3)(b)

presentation of 39

providing penalty, relating clause 36 (1)(c)

question on 2nd reading 75 (1)(a)

question on 3rd reading 48, 75 (1)(b)

reading at length, required when rules suspended for immediate
consideration before copies are available 35 (1)

receives 3 readings on separate and nonconsecutive legislative days 40, 46, 48

referred to standing committee, special committee, to next calendar,
or to committee on rules 42

rereferred to committee 13 (1) (am), 42 (3)(c), 45

speaker refers to standing committee, special committee, to next calendar,
or to committee on rules 42

special and extraordinary session:

 advancement to next stage by majority vote 93 (7)

 germaneness to call 93 (1)

 introduction by committees on finance, organization, rules or JCOER 93 (2)

 stages of consideration (definition) 95 (85)

 suspending administrative rule, to be considered within 40 days 33 (7)

Blanks, available from chief clerk for:

 certificates by legislature or by assembly 96, 97

 floor amendments by assembly or committee 53 (2), (3), (4)

 pairs 79

Budget bill may be referred simultaneously to joint survey committees
and to joint committee on finance; *see also* s. 13.093 (2)(b) stats. 42 (1)(c)

Bulletin of committee hearings, *see* Schedule of committee activities

Bulletin of proceedings (histories and indexes):

 chief clerk supervises preparation of histories; *see also* joint rules 76
 and 78 5 (1)(b), (c)

 legislative reference bureau prepares indexes, *see* joint rules 77 and 78

 sergeant at arms supervises provision to members 6 (1)(c)

Business, regular orders of 31

C

Calendar:

business referred to 24 (3), 42 (1), 43 (2), 45, 46 (5), 73 (3)(a), (4)(a), 74

committee reports shown for proposals on 2nd reading 29 (1)(c)

definition of "calendar" 95 (8)

delayed calendar, debate limited: 5 min/member, 20 min/question 60 (1)

furnished to members at least 18 hours before being acted upon; exception ... 29 (3)

not required for special, extended or extraordinary session proposals 93 (4)

lists motions for reconsideration and name of each maker 29 (1)(b)

lists proposals by name of author and relating clause 29 (1)(a)

lists regular orders of business 29 (1)

lists special orders of business 29 (1)(d)

preparation by chief clerk under supervision of committee
on rules 5 (1)(b), 29 (1), (2)

proposal withdrawn from committee on rules placed on 15 (5)

published routinely for Monday, Tuesday, Wednesday, Thursday,
Friday (except holidays) 29 (2)

second reading proposals, calendar shows all pending committee reports . . .	29 (1)(c)
sergeant at arms supervises provision to members	6 (1)(c)
special and extraordinary sessions, measures referred to: may be taken up immediately	93 (4)
unfinished calendars taken up prior to 5th order of business	29 (4)
veto, how referred to	24 (5), 44
Call of the assembly (or "call of the house")	83 to 88
adjournment may be moved while assembly is under call	70 (1)
adjournment terminates call (roll call required)	86 (3), 87 (3)
call may be moved while motion to adjourn is pending	83 (2)
cannot be demanded while voting is in progress	83 (2)
chief clerk to call roll and furnish sergeant with list of members absent without leave	85
definition of "call of the assembly"	95 (9)
expenses incurred in securing attendance may be imposed on absent members	85 (2)
if sergeant's report is accepted, call is lifted	87 (1)
lifted when all absentees present or absent with leave	87 (1)
majority of current membership may vote to lift call (roll call required)	87 (2)
majority of those present may adjourn under call (roll call required)	86 (3), 87 (3)
may again be made after reconvening after adjournment under call	88
motion to adjourn in order under call	70 (1)
motion to lift a call: roll call required	87
other business may be transacted during	86 (1)
privilege of motion or request	65 (1)(b), (e)
question stated	83 (4)
seconding by 15 members required	83 (3)
sergeant at arms may report at any time	86 (4)
successive calls on same question not permitted unless significant business or adjournment intervenes	88
summary process under call	85 (1)
Call of the roll, <i>see</i> Roll call, Voting machine	
Calling member to order:	
presiding officer determines if there has been violation	58
specific language objected to put in writing	58 (3)
Campaigns and elections, committee on	9 (1)(bm)
Caucus chairperson; majority, minority:	
duties	2 (1), (2)
election, removal, term	2 (1)
member of:	
committee on assembly organization	9 (3)
committee on rules	24 (1)
officers certified by caucus chairperson	2 (3)
Cellular telephones	26 (6)
Census and redistricting, committee on	9 (1)(bp)
Certificate or "citation" (definition); <i>see also</i> joint rule 7	95 (10)

appropriateness examined by organization committee	96
citations by assembly	97
considered under 13th order when objected to	96
Chair (definition)	95 (11)
Chairperson of committee, standing and special; <i>see also</i> Committee, Special committee, Standing committee:	
appointment by speaker	9 (2)(bm), (c)
definition of "committee chairperson"	95 (13)
determines when proposals will be scheduled for public hearing	11 (9)
for joint hearings, <i>see</i> joint rule 21	
determines when committee action shall be reported to assembly	11 (9), 17m
determines when executive action shall be taken	11 (9)
files list of public hearings with chief clerk on or before Monday noon of each week	14 (2)
floor amendment offered in committee, supervises redrafting by legislative reference bureau	53 (3)
joint committees have cochairpersons, <i>see</i> joint rule 22	
petition to withdraw proposal from committee, receives copy	15 (4)(a)
reports to assembly on executive action:	
administrative rules reviewed by committee	20
proposal with recommendations	18
proposal without recommendations	19
responsible for notifying members of all meetings	11 (10)
time limit for	17m
subcommittees, chairpersons may appoint	11 (2)
vice chairperson appointed by speaker	9 (2)(bm)
Chamber, prohibited conduct	26
Chamber, definition	95 (6)
Changes in proposal or amendment prepared by legislative reference bureau, not permitted	39 (3), 53 (intro.)
Changing or amending rules, <i>see</i> Rules	
Chief clerk; <i>see also</i> art. XIII, sec. 6, Wis. Con.; ss. 13.15 to 13.17 stats.:	
appointments of representative, makes required reports regarding	5 (1)(k)
assembly action, supervises recording of	5 (1)(c)
assembly bills which have passed both houses, countersigns with speaker	5 (1)(j)
assistant chief clerk directs office in absence of chief clerk	5 (3)
biennial session, opens next when available	5 (1)(a)
bulletin of proceedings, supervises preparation of; <i>see also</i> , joint rules 76 and 78	5 (1)(b)
calendar, daily, supervises preparation as directed by rules	5 (1)(b)
claims against state, members submit affidavits to	17 (1)
clerical work pertaining to duties vested in chief clerk, supervises all	5 (2)
committee activities schedule, supervises preparation of	5 (1)(b)
correction in proposal:	
authorized for wrong spelling, grammar or numbering, improper word use	36 (1)(a)
enacting clause, inserts when missing	36 (1)(b)

entered in history file	36 (2)
reports to committee on assembly organization	23 (2), (3)
titles of proposals, when required in	36 (1)(c)
custodian for official records of assembly	5 (1)(h)
custom, rule, directive of assembly, or law: performs duties assigned to office by	5 (1)(v)
definition of "chief clerk"	95 (12)
election; <i>see also</i> s. 13.15 (1) stats. (roll call required)	1
employes of assembly; <i>see also</i> joint rule 91	7
certifies names and compensation	5 (1)(m)
engrossing, enrolling: supervises work pertaining to	5 (1)(e)
floor amendments offered in assembly, sends to legislative reference bureau for correction	53 (4)
governor, presents to, all assembly bills which have passed both houses (<i>see Session Schedule</i> for dates)	5 (1)(o), 23 (4)
history file, supervises recording of assembly actions in	5 (1)(c)
insurance, social security, etc., records: supervises keeping of	5 (1)(s)
joint convention, acts as chief clerk of; <i>see also</i> joint rule 1	32 (2)
journal:	
bill withdrawn from committee, entry for	19 (3)
deposits final as required by law or rule	5 (1)(r)
supervises preparation of daily	5 (1)(b)
manual, assembly: supervises preparation of	94
members, certifies monthly compensation and allowances	5 (1)(L)
messages to senate with certified report	50
missing record or document, reports to speaker	5 (1)(h)
official acts of assistants, responsible for	5 (2)
official documents, countersigns with speaker	5 (1)(j)
official records of assembly, responsible for custody of	5 (1)(h)
personnel management program, implements and maintains for assembly	5 (1)(t)
petition to withdraw proposal from committee, prepares	15 (4)(a)
petitions, communications and other papers directed to, assembly, receives	34, 37
prayer, arranges for opening daily sessions with	5 (1)(i)
proceedings, bulletin of: supervises preparation of; <i>see also</i> joint rules 76 and 78	5 (1)(b)
publish referrals	39 (4)(c)
removal, resignation	1
reproduction of proposals: ensures that proper copy is sent to legislative reference bureau	5 (1)(g)
roll call, not to be interrupted during	76 (7), 82
rules committee, supervises preparation of daily calendar under the direction of	5 (1)(b)
schedule of committee activities, supervises preparation of	5 (1)(b)
secretary of state, deposits with:	
enrolled assembly joint resolutions	5 (1)(n)
final assembly journal; <i>see also</i> s. 13.17 stats.	5 (1)(r)

records of assembly actions; other important documents	5 (1)(p)
vetoed, when overruled by legislature and certified	5 (1)(q)
signature, on assembly bills which have passed both houses	5 (1)(j)
speaker of the assembly, chief clerk subordinate to	3 (1)(L), 5 (1)(v)
term of office; <i>see also</i> s. 13.15 (1) stats.	1
titles of proposals, required corrections in	36 (1)(c)
vetoed, certifies to secretary of state when overruled by legislature	5 (1)(q)
work assigned to, delegates to appropriate assistants	5 (2)
Children and families; committee on	9 (1)(c)
Citation by assembly or legislature, <i>see</i> Certificate; <i>see also</i> joint rule 7	96, 97
Claims against state; <i>see also</i> s. 16.007 stats.:	
affidavit form, to be presented in	17 (1)
claims board to report on all	17 (2)
presented to member (submits to chief clerk in duplicate)	17 (1)
resubmit in bill form, member may after rejection by claims board	17 (3)
Clearinghouse rules; <i>see</i> Administrative rules	
Clerical corrections to proposals	36
Colleges and universities; committee on	9 (1)(d)
Committee; for specific committee <i>see</i> [Subject] committee on	
absent member, report may include position on issue	11 (5)(b)
administrative rules, how assigned to committee for review	13 (2)
allowed 21 days for consideration of proposals before withdrawal	15 (1)
amendment:	
offered by	18 (2), 53 (3)
procedure of recommendation and incorporation into report	18 (2), (3)
appointments to, majority party, minority party	9 (2)(b), (c)
assembly rules govern procedure in	11
business relevant to its title, may hold hearings on	14 (1)
chairperson:	
definition of "committee chairperson"	95 (13)
<i>see also</i> Chairperson of committee	
clerical procedures, <i>see</i> joint rule 31	
executive action (definition)	95 (14)
flag, U.S., displayed when meeting	6 (1) (k)
hearings, called by chairperson	11 (3), (9), 14 (1)
for joint hearings, <i>see</i> joint rule 21	
introduction of proposal by	18 (5)
majority constitutes quorum for business	11 (1)
members:	
must be present for voting	11 (4)
position on issue, absent member may insert in report	11 (5)(b)
succession to presiding chairperson	11 (7)
vote in sequence of appointment	11 (6)
motion to refer to same specific committee not permitted twice in same day	72
number of members, party allocation determined by speaker	9 (2)(a)
place and time of meetings	9 (9), 11 (3), (11), 14 (2)
procedures:	

governed by assembly rules insofar as applicable	11
specific committee procedures	11 (1) to (11)
ranking minority member	9 (2)(cm)
recommendation sets question at 2nd reading stage; exceptions	47
reconsideration of action	11 (8)
referral of proposal to	13 (1), 42, 45
report:	
administrative rules reviewed by committee	20
illustrations	18 (1), (5), 19 (2), 20 (1), (2)
negative recommendation, assembly action	47
on proposal with recommendations: examples	18
on proposal without recommendation: conditions, illustrations	19
reproduced in journal	18 (4)
shown on 2nd reading calendar	29 (1)(c)
time limit for	17m
veto by governor, report on	44
rereferral of proposal to	13 (1)(am), 42 (3)(c), 45
precedence of motion for	65 (2)(d), (e)
schedule of activities; <i>see also</i> joint rule 75	14 (2)
chief clerk supervises preparation	5 (1)(b)
committee chairperson files lists of public hearings with chief clerk	
on or before Monday noon of each week	14 (2)
special, extended or extraordinary session proposals need not be	
shown in	93 (3)
shall not meet during daily sessions	12
speaker is nonvoting member of every committee	9 (8)
special committees	10
standing committees listed	9
subcommittee, chairperson of committee may appoint	11 (2)
temporary special committees	10 (2), (3)
title, business relevant to, may hold hearings on	14 (1)
veto: reference to committee, report	44
vote: may be held open until committee session adjourns	11 (5)(a)
must be taken in the presence of the committee	11 (4)
withdrawing a proposal from	15, 42 (3)(c)
Committee of conference, <i>see</i> Conference committee	
Committee of the whole:	
definition of "committee of the whole"	95 (15)
discussions within	8 (3)
motion to end debate not in order	8 (2)
nonmembers may be invited to speak	8 (5)
not to recess or postpone	8 (7)
procedures summarized	8
reports its action to assembly	8 (6)
roll call votes not in order except on question of arising	8 (1)
Committee on[Subject], <i>see</i> [Subject] committee on	
Communications addressed to assembly:	

delivered to chief clerk	34, 37 (2)
must state communicating person, member introducing, subject matter	37 (2)
reproduction in journal may be ordered	37 (2)
veto message, action on	44
Concurrence (definition)	95 (16)
Concurrence, how question is stated	75 (1)(b)
Conduct, special committee on ethics and standards of	21, 43 (3)
Conduct in the chamber:	
eating, not permitted on floor or in galleries	26 (4)
members not to cross or leave floor while presiding officer is speaking	26 (2)
microphones, possession and use	26 (7)
mobile radio service device	26 (6)
newspaper reading, not permitted during session on floor or in galleries	26 (3)
presiding officer to maintain order, decorum and quiet	3 (1)(f), 26 (1)
sergeant at arms carries out instructions concerning any disturbance	
in chamber	6 (1)(g)
smoking, not permitted on floor or in galleries	26 (5)
Conference committee; <i>see also</i> joint rule 3	
assembly approval of conference report, not subject to motion for	
reconsideration	73 (1)(b)
definition of "conference committee"	95 (17)
may meet during daily session	12
obtaining leave, general provision	27
report:	
assembly approval not subject to reconsideration	73 (1)(b)
question, how stated	75 (1)(d)
referral to standing committee not proper	45 (6)
transmission	50 (2)
Conservation and land use, committee on	9 (1)(dm)
Constitution, Wisconsin, procedure on joint resolution proposing change:	
question on 3rd reading	75 (1)(b)
receives 3 readings before adoption	41 (2)
second consideration, what may be amended, <i>see</i> joint rule 57 (2)	
Constitution, United States, procedure on ratifying amendment to	41 (2)
Consumer affairs; committee on	9 (1)(e)
Contested seat:	
contestants granted privilege of floor until contest settled	25 (5)
definition of "contested seat"	95 (18)
Continuity of assembly rules	92
Convening of daily session: 9 a.m. except first day of week	28
Copies of proposals to be available at least 24 hours before consideration	35 (1)
Copying for assembly	38
Corrections; committee on	9 (1)(f)
Corrections and the courts, committee on	9 (1)(em)
Corrective amendment offered by committee on assembly organization:	
proposal reverts temporarily to amendable stage	23 (2)
Criminal justice; committee on	9 (1)(f)

Courts, committee on corrections and	9 (1)(em)
Current membership (definition)	95 (20)
majority of, necessary to transact business	30 (2)
<i>see joint rules 11 and 12 for exceptions</i>	
majority of, required to change assembly rules (roll call vote)	89

D

Debate:

documents, reading from during debate limited	59 (3)
ending, motion for (seconding required, roll call required)	71
incidental motions, requests and questions during	66
interruptions, purposes for which permitted	57
limited on delayed calendar: 5 min/member, 20 min/question	60 (1)
may be limited by resolution establishing special order	33 (1)
motions acted on without	67
on motion for reconsideration allowed only if question was debatable, limited to 3 min/member	73 (7)
on rules committee's special order resolution, limit 5 min. pro/con	33 (3)
privileged motions and requests during	65 (1)
questions in order during	57
recognition in (by district; not by name)	56 (1)
remarks to be confined to question, avoid personalities	56 (1)
special order resolution, adoption or rejection (5 min/question)	33 (3)
subsidiary motions and requests during	65 (2)
tabling motion, debate limited to 10 min. (2 min/member)	74 (2)
Debate, motion to end:	
acted on without debate	67, 71
call for not in order in committee of the whole	8 (2)
moving to end the debate	71
precedence of motion	65 (2)(b)
previous question (definition)	95 (58)
requires support of 15 members	71 (1)
roll call required	71
Decorum:	
eating, not permitted on floor or in galleries	26 (4)
members not to cross or leave floor while presiding officer is speaking	26 (2)
microphones, possession and use	26 (7)
mobile radio service devices	26 (6)
newspaper reading, not permitted during session on floor or in galleries	26 (3)
presiding officer to maintain order, decorum and quiet	3 (1)(f), 26 (1)
sergeant at arms carries out instructions concerning any disturbance in chamber	6 (1)(g)
smoking, not permitted on floor or in galleries	26 (5)
Definitions, alphabetical list of major terms	95
Delete and substitute: proposition indivisible	80 (3)

Dilatory (definition)	95 (22)
Dilatory motions out of order	69
successive calls on same question not permitted	88
Dilatory use of motion to suspend rules not permitted	90 (5)
“Dipping” of bill through joint committee on finance, <i>see</i> s. 13.093 (1) stats.	
Division of the question:	
bill, joint resolution, or resolution not divisible	80 (4)
definition of “division of the question”	95 (23)
motion or simple amendment divisible when containing 2 severable propositions	80 (1)
senate amendment received for assembly concurrence not divisible	80 (4)
motion to delete and substitute is one indivisible proposition	80 (3)
not to be used when amendment more clearly achieves purpose	80 (2)
partial veto, how may be divided	80 (5), (6)
requesting a division is authorized interruption	57 (1)(h)
senate amendment received for assembly concurrence not divisible	80 (4)
substitute amendment not divisible	80 (4)
veto of entire bill, may not be divided	80 (4)
Document provision to members, sergeant at arms supervises	6 (1)(c)
Documents, consent required to read from	59 (3), 90 (2)
Documents presented to assembly	37 (2)
Doors to assembly:	
all rooms inside constitute “assembly chamber” (definition)	95 (6)
closed when call is ordered; members may enter but not leave	84

E

Eating, not permitted on floor or in galleries	26 (4)
Economic development; committee on small business and	9 (1)(u)
Education; committee on	9 (1)(g)
Education reform, committee on	9 (1)(h)
Elected membership (definition)	95 (24)
Election of officers, midterm vacancy; <i>see also</i> art. IV, sec. 30, and art. XIII, sec. 6, Wis. Con.; ss. 13.02 (1), 13.13, 13.15 (1), 13.18 (1) stats.	1
Elections, committee on campaigns and	9 (1)(bm)
Electric voting machine, <i>see</i> Roll call, Voting machine	
Emergency statement: bill lacking required statement not to be withdrawn from finance committee or committee on rules	15 (1)(b)
Employees of assembly:	
appointment, supervision	7
chief clerk, sergeant implement personnel management system	5 (1)(t), 6 (1)(i)
<i>see also</i> joint rule 91	
social security, insurance, retirement records kept by chief clerk	5 (1)(s)
Employment relations committee (JCOER), assembly and joint; <i>see</i> <i>also</i> s. 13.111 stats.	9 (7)
permitted to introduce proposals in special, extended or extraordinary session	93 (2)
Enacting and enabling clause, inserted when omitted	36 (1)(b)

End debate, motion to, <i>see</i> Debate, motion to end	71
Engrossed proposal (definition)	95 (25)
Engrossing:	
chief clerk supervises work relating to	5 (1)(e)
corrective amendment by committee on assembly organization	23 (2), (3)
duties of chief clerk and legislative reference bureau	5 (1)(f)
Enrolled proposal (definition)	95 (26)
Enrolling:	
chief clerk may enter enrolling report after adjournment	5 (1)(g)
chief clerk supervises work relating to	5 (1)(e)
corrective amendment by committee on assembly organization	23 (2), (3)
functions of legislative reference bureau in relation to	23 (3)
how proposals may be recalled for further action	23 (3), 51
message enrolled bill to governor on motion or by speaker's directive	23 (4)
Environment; committee on	9 (1)(i)
Ethics and standards of conduct, special committee on	21, 43 (3)
Excuse from voting, member may receive for special cause	77
Executive action, committee (definition)	95 (14)
Executive communications and messages:	
in regular order of business	31 (4)
joint convention may interrupt regular order	32 (2)
vetoes	31 (5), 44
Expunge (definition); <i>see also</i> Rescind	95 (27)
Extraordinary or extended session:	
certain assembly rules modified	93
definition	95 (27m)

F

Failure to pass, adverse and final disposition	49 (1)(f)
Family law, committee on	9 (1)(im)
Farmland preservation program, committee on review of	9 (1)(sm)
Final general session day: reconsideration motion taken up by majority vote	73 (3)(b)
Final or adverse disposition of proposal: methods listed	49 (1)
Finance committee, assembly and joint; <i>see also</i> ss. 13.09 to 13.095 and 13.10 to 13.11 stats.	9 (4)
bill requiring (but lacking) emergency statement not to be withdrawn from	15 (1)(b)
“dipping” of bills, <i>see</i> s. 13.093 (1) stats.	
permitted to introduce proposals in special, extended or extraordinary session	93 (2)
proposal reported by standing committee, speaker may refer to	45 (1)
referral to, when required, <i>see</i> ss. 13.093 (1) and 16.47 stats.	
rules committee returns bill to speaker for referral to	24 (3)(a)
simultaneous referral of budget bill to joint survey committee	42 (1)(c)
Financial institutions; committee on	9 (1)(j)
First reading of proposals, general rule	42 (1)
chief clerk's report used in lieu of	42 (2)

journal record of introduction, on day assembly does
 not meet, constitutes first reading 42 (3)(b)

Fiscal estimate (definition); *see also* joint rules 41 to 49 and
 s. 13.093 (2) stats. 95 (28)

read at length if not provided 35 (3)

Floor amendment:
 definition of "floor amendment" 95 (30)

offered in committee 53 (3)

offered on 2nd reading 53 (2), (4)

Floor leader; *see also* Majority leader, Minority leader:
 duties 2 (1), (4), 11 (11)

election, removal, term 2 (1)

member of:
 committee on assembly organization 9 (3)

committee on rules 24 (1)

Floor managers for proposals on special order 33 (1)(a)

Floor of the assembly (definition) 95 (29)

Forestry, committee on rural affairs and 9 (1)(t)

Further action on proposal after passage (recall requires joint resolution) ... 23 (3), 51

G

Germaneness (definition) 95 (31)

Germaneness of amendments:
 an amendment to an amendment 54 (5)

general requirements stated 54 (1)

list of amendments which are germane 54 (4)

list of assembly amendments which are not germane 54 (3)

motion, germaneness requirements apply 68

procedure in raising question of 54 (2)

raising question not in order after amendment adopted 54 (2)

raising question only applicable to assembly amendments 54 (2)

ruled on only when question is raised 54 (2)

special session, must be germane both to proposal and governor's call 93 (1)

Government operations, committee on 9 (1)(k)

Governor:
 call of special session, germaneness of proposals to 93 (1)

enrolled bill may be immediately messaged to (on motion or by speaker's
 directive) 23 (4)

message from, may be received and read, proposal referred, or taken up 32 (1)

veto, how scheduled for action 31 (5), 44

H

Health; committee on 9 (1)(L)

Health (public), committee on 9 (1)(se)

Hearing (definition), *see also* Public hearing 95 (32)

Highway safety; committee on 9 (1)(m)

History (definition) 95 (33)

Hour for meeting:
 daily session begins: 9 a.m. except first day of week 28
 inauguration day and first session of biennial session: 2 p.m. 95 (66)
 Housing; committee on 9 (1)(n)

I

Improper or disorderly language in debate 58
 Incidental motions, requests and questions during debate 66
 definition of "incidental motions and requests" 95 (34)
 Indefinite postponement (assembly bills):
 definition of "indefinite postponement" 95 (35)
 final and adverse disposition 49 (1)(a)
 not permitted twice on same day at same stage of proposal 72
 precedence of motion for 65 (2)(h)
 Information policy, assembly and joint committee on; *see also* s. 13.58 stats. 9 (7m)
 Insurance; committee on 9 (1)(o)
 Intent of proposal frustrated, corrective amendment by committee
 on assembly organization 23 (2), (3)
 Interpretation of rules; *see also* Points of order 3 (1)(g), 91
 Interruption of member holding floor 57
 Introduction (definition) 95 (36)
 Introduction of proposals, *see* Assembly resolution, Bill, Joint resolution
 Item veto, *see* Veto

J

Jefferson's manual applicable when no specific assembly or joint rule
 governs procedures, unless inconsistent with constitutional or
 statutory provisions 91 (1)
 Joint committee on employment relations (JCOER), *see*
 Employment relations committee, assembly and joint
 Joint committee on information policy, *see* Information
 policy, committee on
 Joint committee for review of administrative rules (JCRAR), *see*
 Administrative rules
 Joint committee on finance, *see* Finance committee, assembly and joint
 Joint convention; *see also* joint rule 1:
 assembly chief clerk acts as chief clerk of 32 (2)
 definition of "joint convention" 95 (37)
 interrupts business of the assembly 32 (2)
 senate president (or speaker) presides 32 (2)
 Joint hearing (definition) 95 (38)
 Joint resolution:
 copies to be provided 24 hours before consideration unless privileged 35 (1)
 definition of "joint resolution" 95 (39)
 division not proper 80 (4)
 introduction by committee 18 (5)
 presentation of 39
 privileged when relating to members, procedures or organization 43 (1)

proposing amendment to Wisconsin constitution:	
question on 3rd reading	75 (1)(b)
receives 3 readings before adoption	41 (2)
second consideration, what may be amended, <i>see</i> joint rule 57 (2)	
ratifying amendment to U.S. constitution	41 (2)
readings required	41
referred to standing committee, special committee, next calendar or rules committee, unless privileged	42
relating to legislative rules (roll call required)	43 (2), 89
rereferred to committee	13 (1)(am), 42 (3)(c), 45
stating question of adoption or concurrence	75 (1)(b)
to recall proposal (after passage) for further action	23 (3), 51
Joint rules:	
definition of "joint rules"	95 (40)
together with assembly rules govern parliamentary practice	91
Joint session, <i>see</i> Joint convention	
Joint survey committee:	
bills may not be withdrawn from	15 (1)(a)
referral of proposal to one or more, simultaneously	42 (1)(b)
referral of bill returned by rules committee	24 (3)(a)
report to be read at length if not provided	35 (3)
Journal; <i>see also</i> art. IV, sec. 10, Wis. Con.:	
chief clerk's or legislative reference bureau's corrections in legislative proposal, contains full text	36 (2)
communications included in journal by order of assembly or presiding officer .	37 (2)
conforms to rules and directives by committee on assembly organization	38
definition of "journal"	95 (41)
gives daily list of those present or absent	30 (1)
may note fact that member wished to be recorded on roll call	76 (8)
preparation supervised by chief clerk	5 (1)(b)
roll call record to show names and totals	76 (9)
Judiciary and personal privacy; committee on	9 (1)(p)

L

Labor and employment; committee on	9 (1)(q)
Land use, committee on conservation and	9 (1)(dm)
Last general session day: reconsideration motion taken up by majority vote	73 (3)(b)
Leave (definition); <i>see also</i> Absence, leave of	95 (42)
Leaving chamber: no member to leave while assembly under call	84
Leaving floor: no member to leave while presiding officer is addressing assembly	26 (2)
Legislature, organization of, <i>see</i> art. IV, sections 7 to 20, Wis. Con. and ss. 13.01 to 13.58, stats.	
Legislative citation, <i>see</i> Certificate	96
Legislative day (definition)	95 (43)
Legislative reference bureau:	
committee's floor amendment, redrafts	53 (3)

correction in proposal:

- authorized for wrong spelling, grammar or numbering, improper word use 36 (1)(a)
- enacting or enabling clause, inserts when missing 36 (1)(b)
- reports to committee on assembly organization 23 (2), (3)
- titles of proposals, when required in 36 (1)(c)
- drafts all proposals for introduction 39 (2), (3)
- engrossed proposal, prepares for reproduction 5 (1)(f)
- flaw in enrolled bill, notifies committee on assembly organization 23 (3)
- floor amendments, makes limited corrections in 53 (4)
- inauguration day, duties of chief 5 (1)(a)
- indexes to proposals by subject and author, *see* joint rules 77 and 78
- publishing assembly manual, assists chief clerk 94 (1)
- required to make clerical corrections in proposals 36
- Lifting a call of the assembly 87
- Lobbyists do not have privilege of floor 25
- Local affairs; committee on urban and 9 (1)(x)

M

- Main motions and questions (definition) 95 (44)
- Main question on 2nd reading conforms to committee recommendation; exceptions 47
- Majority:
 - definition of "majority" 95 (45)
 - vote of current membership to change rules (roll call required) 89
 - special order: vote of members present to advance to 3rd reading or message to senate 33 (4)
 - vote of current membership to lift call (roll call required) 87 (2)
 - vote of members present may withdraw bill from committee after 21 days 15 (1)
 - vote of members present to adjourn under call (roll call required) 86 (3), 87 (3)
- Majority leader:
 - assistant majority leader 2 (2)
 - duties 2 (1), (4)
 - election 2 (1)
 - floor manager on special order 33 (1)(a)
 - member of:
 - committee on assembly organization 9 (3)
 - committee on rules 24 (1)
 - presides when speaker and speaker pro tempore are both absent 4 (1)
 - removal, resignation 2 (1)
 - seating assignment in chamber, settles disputed 2 (4)
 - term of office 2 (1)
- Manual:
 - definition of "manual" 95 (46)
 - legislative reference bureau to assist chief clerk 94 (1)
 - Mason's manual: use in interpreting rules 91 (2)
 - Means; committee on ways and 9 (1)(zd)

Member:

absence, leave of	27
appointing authority for employes	7 (1)
assembly privilege, point of	61 (1)
call of assembly:	
expense to secure attendance may be charged to absentees	85 (2)
may demand, to secure attendance of absentees	83 (1)
motion requires 15 seconds	83 (3)
must remain in chamber during	84
crossing or leaving floor, not permitted while presiding	
officer is speaking	26 (2)
debate, right to: ends when roll call opened	65 (5)
definition of "member" and "members present"	95 (47), (48)
eating, not permitted on floor or in galleries	26 (4)
interruption of member holding floor, when permitted	57
journal, may request recording of position when absent during roll call	76 (8)
leaving chamber, not permitted while assembly under call	84
majority of current membership required to change rules (roll call required)	89
microphones, possession and use	26 (7)
mobile radio service devices	26 (6)
motions, right to make: ends when roll call opened	65 (5)
newspaper reading, not permitted during session on floor or in galleries	26 (3)
objectionable language in debate	58 (1)
paired on question, files signed statement with chief clerk	79
personal privilege, point of	61 (2)
presiding officer announces order that members may speak	56 (2)
privilege, point of assembly, personal or special	61
purpose, must state when requesting rules suspension or unanimous	
consent	90 (2)
reading from bill or amendment currently debated, permitted	59 (3)
reading from statutes, rules, constitution, when permitted	59 (3)
resolution to reprimand, censure or expel a member, procedure	21, 43 (3)
respect to, while speaking	26 (2), 56 (1)
right to debate, ends when roll call opened	65 (5)
right to make motions, ends when roll call opened	65 (5)
roll call vote, may request with support of 15 seconds	64, 76 (3)
rooms in Capitol, speaker assigns	3 (1)(q)
rules, may move suspension for stated purpose not otherwise permitted	90
seat in chamber, assignment of	2 (4)
smoking, not permitted on floor or in galleries	26 (5)
speaking:	
how recognized for purpose of (by district; not by name)	56
interruption of member holding floor, when permitted	57
objectionable language	58 (1)
permitted only from assigned seat	59 (1)
presiding officer recognizes member	56 (3)
reconsideration, member may speak once (3 min. limit) if question	
was debatable	73 (7)

respect to, while speaking	26 (2), 56 (1)
time limits, <i>see</i> Debate	
twice on same subject (more than twice not permitted)	59 (2)
twice on same subject allowed in committee of the whole	8 (3)
special privilege, point of	61 (3)
suspension of rules:	
limited to achieving stated purpose	90 (2), (3)
may move for stated purpose not otherwise permitted	90
motion proper under any order of business	90 (4)
not to be granted for frivolous, indecorous or dilatory purpose	90 (5)
purpose to be stated in motion	90 (2)
unanimous consent:	
limited to achieving stated purpose	90 (3)
may request for stated purpose not otherwise permitted	90
not to be granted for frivolous, indecorous or dilatory purpose	90 (5)
purpose to be stated in request	90 (2)
request proper under any order of business	90 (3)
voting:	
excuse for special cause	77
interruption of, not permitted	76 (7), 82
permitted only to members in chamber	76 (5), (6)
required when present; exception	77
roll call, may request with support of 15 seconds	64, 76 (3)
Members present (definition)	95 (48)
Message:	
from governor or senate, may be received, read at any time	32 (1)
to senate:	
messages transmitted immediately	50 (2)
all other messages: certified and transmitted after time for reconsideration expires	50 (1)
Microphone, restrictions on possession and use	26 (7)
Military affairs; committee on veterans and	9 (1)(z)
Minority leader:	
assistant minority leader	2 (2)
committee appointments, nominates minority party members for	9 (2)(c)
duties	2 (1), (4), 11 (11)
election	2 (1)
floor manager on special order	33 (1)(a)
member of:	
committee on assembly organization	9 (3)
committee on rules	24 (1)
removal, resignation	2 (1)
seating assignment in chamber, settles disputed	2 (4)
term of office	2 (1)
Mobile radio service devices	26 (6)
Motion to:	
adjourn	69m, 70

delete and substitute: indivisible	80 (3)
end debate	71
lift call: majority of current membership, roll call required	86 (3), 87 (2)
postpone indefinitely: limitations	72
postpone to a day certain: limitations	72
not permitted in special, extended or extraordinary session	93 (5)
recess; when same as motion to adjourn	69m
reconsider	73
in special, extended or extraordinary session	93 (6)
refer to committee: limitations	72
suspend rules	90
table	74
withdraw from committee	15 (2), (3), 74 (3)
Motions, general procedures:	
amendments to, must be germane	68
definition of "motion"	95 (49)
dilatory, which are	69
division, when proper	80 (1)
may be withdrawn with consent of assembly	66 (1)(f), 73 (6)
offered under 13th order of business	31 (13), 73 (3)(a)
order of precedence during debate	65
organizing assembly, not impaired by motion for reconsideration	73 (10)
presiding officer states and puts	63
proposals referred to calendar by motion	29 (1), 31 (13)
right to make, ends when roll call opened	65 (5)
seconding a motion	64, 95 (89)
Motions, questions and requests in order during debate	57, 65, 66

N

Natural resources; committee on	9 (1)(s)
Negative committee recommendation, assembly action	47
Newspapers:	
reading, not permitted during session on floor or in galleries	26 (3)
News media:	
representatives of, admitted to floor of assembly when engaged in reporting proceedings	25 (3)
Nonconcurrence (senate bills, joint resolutions):	
adverse and final disposition	49 (1)(c)
definition of "nonconcurrence"	95 (50)
motion not permitted twice on same day at same stage of proposal	72
precedence of motion for	65 (2)(h)
Nondebatable motions	67

O

Oath of office, speaker may administer	3 (1)(p)
Objections of governor sustained, adverse and final disposition	49 (1)(h)
Offering of proposals and other matters addressed to assembly	34, 39

Officers:

- assembly 1
- majority and minority parties 2

Opening new regular biennial session:

- chief clerk presides 5 (1)(a)
- rules of prior session continue until amended or rescinded 92

Opinion of attorney general (definition) 95 (51)

Order of business:

- regular orders 31
- resumed at point of interruption 32 (4)
- special 32 (3), 33
- variations in regular 32

Organization; committee on assembly 9 (3)

- approves employe pay plan for assembly 7 (2)
- corrective amendment offered by 23 (2)
- engrossing or enrolling of proposal, supervises 5 (1)(e), 23 (2), (3)
- examines appropriateness of legislative citation 96
- permitted to introduce proposals in special, extended or extraordinary session 93 (2)
- joint resolution to recall proposal (after passage) for further action 23 (3)
- staffing pattern, establishes for assembly 7 (4)
- substantive corrections in proposal 23 (2), (3)
- supervises copying for assembly 38

P

Pair:

- applicable to main questions unless otherwise specified 79 (3)
- definition of "pair" 95 (52)
- forms provided by chief clerk 79
- invalidated if one party is present and votes 79 (2)
- member signs and files with chief clerk 79
- not applicable to amendments unless so specified 79 (3)
- not applicable to procedural motions unless so specified 79 (3)
- not counted as part of official result 79 (4)
- not counted to establish qualified majority 79 (5)
- one or both parties thereto must be absent with leave 79 (1)
- permitted on any question when members file a signed statement with the chief clerk 79
- read to assembly by chief clerk before vote is taken 79

Papers addressed to assembly, general requirements 34, 37

Parliamentary inquiry:

- definition of "parliamentary inquiry" 95 (53)
- may be made while member is speaking 57 (1)(e)

Parliamentary procedure; *see also* Points of order 91

Partial veto, *see* Veto

Party caucus officers; *see also* Majority leader, Minority leader 2

- certified by party caucus chairperson 2 (3)

majority, minority caucus chairperson: member of organization committee	9 (3)
Passage:	
definition	95 (54)
question, how stated	75 (1)(b)
subsequent recall of proposal for further action	23 (3), 51
Personal privacy, committee on judiciary and	9 (1)(p)
Personal privilege	61 (2)
precedence of question	65 (1)(h)
question of, interrupts debate	57 (1)(b)
question of, may be raised while member is speaking	57 (1)(b), 61 (2)
Personalities to be avoided in debate	56 (1)
Petition:	
definition of "petition"	95 (55)
delivered to chief clerk	34, 37 (1)
information required: communicating person, member introducing, subject matter	37 (1)
withdraw proposal from committee, requirements	15 (3), (4)
Pledge of allegiance	31
Point of order:	
advisement, may be taken under	62 (3)(b)
expansion of question permitted	69 (4)
appeal of ruling:	
debatable	62 (7)
member may	62 (6)
roll call required	62 (7)
definition of "point of order"	95 (56)
interrupts debate	57 (1)(c)
member limited to speaking once	62 (2)
overruling presiding officer requires majority vote	62 (7)
presiding officer may speak in preference to others	62 (3)
presiding officer may vote on appeal	62 (7)
question on appeal of ruling, how stated	62 (6)
raised while member is speaking, may be	57 (1)(c)
time for ruling on	62 (3m)
timely only when raised before question is decided	62 (4)
Postpone, not permitted twice on same day at same stage of proposal	72
Postpone to day or time certain:	
not permitted in special, extended or extraordinary session	93 (5)
precedence of motion to	65 (2)(c)
Prayer beginning daily sessions	5 (1)(i), 31
Precedence of motions	65
Precedent (definition)	95 (57)
Presiding officer; <i>see also</i> Speaker, Speaker pro tempore	
amendment, rules on admissibility when germaneness is questioned	54 (2)
announces order that members may speak (no appeal)	56 (2)
appeal of ruling by (roll call required)	62 (7)
biennial session, inauguration day:	

chief clerk of preceding session presides	5 (1)(a)
legislative reference bureau chief presides when chief clerk of preceding session not available	5 (1)(a)
call of assembly, state question	83 (4)
communication, may order reproduced in journal	37 (2)
decides who has the floor (no appeal)	56 (2)
decorum, preserves order, quiet and	26 (1)
disturbances in chamber, instructs sergeant at arms	6 (1)(g)
germaneness of amendment, rules on when questioned	54 (2)
joint survey committee, may refer proposals to one or more simultaneously	42 (1)(b), 45 (4)
journal, may order communication reproduced in	37 (2)
member designated by presiding officer may preside temporarily	4 (3)
motions, stated and put by	63
order, quiet and decorum, preserves	26 (1)
points of order, rules on	62 (3)
advisement, may take under	62 (3)(b)
expansion of question permitted	69 (4)
time for ruling	62 (3m)
proposal, refers to standing committee, special committee, next calendar or rules committee	29 (1), 42, 89 (2)
question for current action, stated by	75
quiet, decorum and order, preserves	26 (1)
recognition of members seeking floor, decides order of (no appeal)	56 (2)
respect to	26 (2)
roll call vote:	
may order on any question	76 (3)
required, when, <i>see Quick Finder</i>	
votes and is recorded in	78
speaking: member not to cross or leave floor	26 (2)
speaker and speaker pro tempore: election, term of office	1
temporary, elected when speaker, speaker pro tempore and majority leader are absent	4 (2)
votes and is recorded on all roll call votes	78
voting, states question	75
Press, radio and TV representatives admitted to floor of assembly when engaged in reporting proceedings	25 (3)
Previous question, <i>see</i> Debate, motion to end	
definition of "previous question"	95 (58)
Printed documents, consent required to read from	59 (3), 90 (2)
Privilege: assembly, personal or special	61
Privilege, questions of, <i>see</i> Questions of privilege	
Privileged motions and requests during debate	65 (1)
Privileged resolution	33 (3), 43
request to introduce and ask consideration of, precedence of	65 (1)(i)
to reprimand, censure or expel a member, procedure	21, 43 (3)
Privileged motions and requests (definition)	95 (59)
Proposal (definition); <i>see also</i> Assembly resolution, Bill, Joint resolution, Motion, Petition	95 (60)

Proposals to be available at least 24 hours before consideration 35 (1)
 Public health, committee on 9 (1)(se)
 Public hearing; *see also* Schedule of committee activities:
 advance notice 14 (2)
 announced in schedule of committee activities 14 (2)
 not required for special, extended or extraordinary session proposals 93 (3)
 definition of "hearing" 95 (32)
 may be rescheduled for larger room 11 (3)
 reproduced copies of proposal to be available to public 14 (3)
 scheduled at discretion of committee chairperson 14 (1)
 schedules posted on bulletin boards of assembly 14 (2), 93 (3)
 Publications of assembly; *see also* joint rules 71 to 79 38, 94

Q

Question (definition) 95 (61)
 Question before assembly conforms to committee recommendation; exceptions 47
 Question, division of, *see* Division of the question
 Question lost when vote results in tie 81
 Question on appeal of ruling by presiding officer, how stated 62 (6)
 Questions of privilege:
 assembly privilege explained 61 (1)
 personal privilege explained 61 (2)
 precedence of 61 (4)
 precedence limited to immediate consideration 61 (5)
 privileged motions and requests (definition) 95 (59)
 special privilege explained 61 (3)
 under control of assembly 61
 when disposed of, assembly resumes business at point of interruption . 57 (2), 61 (6)
 Questions, requests and motions in order during debate 57, 65, 66
 Questions, how stated 75
 Quorum; *see also Quick Finder*:
 committee connected by audiovisual transmission 11 (3m)
 definition of "quorum" 95 (62)
 fiscal bills, special quorum, *see* joint rule 11 (2)
 necessary for transaction of business 30 (2)
 pairs, both members considered not present 79 (5)
 question of, may be raised while member is speaking 57 (1)(d), 66 (1)(b)

R

Radio, press and TV representatives admitted to floor of assembly when
 engaged in reporting proceedings 25 (3)
 Reading at length, required when proposals, amendments or fiscal
 estimates have not been provided 35
 Recall proposal for further action:
 after passage 23 (3), 51
 from other house 73 (8)
 Recess:

definition of "recess"	69m, 95 (63)
motion to, acted on without debate	67
privilege of motion or request	65 (1)(f)
roll call required when assembly under call	86 (3)
to next day same as adjourn	69m
Recognition:	
always through presiding officer	56 (3)
order members may speak	56 (2)
by district number (not by member's name)	56 (1)
member addresses presiding officer	56 (1)
no appeal from presiding officer's decision	56 (2)
when more than one member seeks floor	56 (2), 57
Reconsideration:	
definition of "reconsideration"	95 (64)
delays final action by 2 days, exceptions	73 (3)
limit on debate: 3 min/member	73 (7)
of amendments, proper only after reconsideration of final action on proposal at 2nd reading stage	73 (4)(c)
of vote on passage or concurrence, when taken up	73 (3)(a)
taken up when proposal next regularly scheduled	73 (2)(b), (3)(a)
when in order	73 (2)(a), (3)(a)
Reconsideration motion	
calendar to show name of member making	29 (1)(b)
conditions for withdrawing	73 (6)
delays final action by 2 days, exceptions	73 (3)
in committee: proper before proposal is reported to assembly	11 (8)
maker of motion may offer an amendment to proposal	73 (9)
may be made by any member in event of tie vote or voice vote	73
may be made by any member who voted with majority that carried question	73
not applicable to action on governor's veto	73 (1)(b)
not applicable to approval of conference committee report	73 (1)(b)
not renewable after having been lost	73 (5)
not required for consideration of corrective amendment offered by committee on assembly organization	23 (2)
of vote on passage or concurrence, when taken up	73 (3)(a)
proper only after assembly has decided question to which it relates	73 (2)
proposal returned (by joint resolution) for further action, reconsideration motion not needed	73 (8)
resolution organizing assembly, not impaired by	73 (10)
scheduled for consideration	73 (3)(a)
scheduled for consideration on last day of last regular floorperiod, when taken up	73 (3)(b)
special order, taken up immediately or at time set by majority vote	33 (4)
special, extended or extraordinary session, taken up immediately or at time set by majority vote	93 (6)
taken up when proposal next regularly scheduled	73 (2)(b)
time limits upon debate	73 (7)
when in order	73 (2)(a), (3)(a)

Reconsideration of amendments	73 (4)
motion for, may be entered during debate	66 (1)(L)
Recreation; committee on tourism and	9 (1)(w)
Redistricting, committee on census and	9 (1)(bp)
Referral of conference report to standing committee not permitted	45 (6)
Referral of proposal (bill, joint resolution, resolution):	
to assembly: time limit for	39 (4)(c)
to calendar, standing committee or committee on rules on first reading	32 (1)(b), 39 (4)(c), 42
to calendar or another committee after report by one committee ..	32 (1)(c), 42 (3)(c)
to another committee by speaker	13 (1)(am), 42 (3)(c), 45 (1)
to committee during debate	65 (2)(d), (e)
not permitted twice on same day to same specific committee	72
precedence of motion for	65 (2)(d), (e)
to committee from pending calendar (by motion)	13 (1)(c)
to finance committee from rules committee	24 (3)(a)
to joint survey committee (one or more simultaneously) ...	24 (3)(a), 42 (1)(b), 45 (4)
Regular order of business	31
definition of "regular order of business"	95 (65)
Regular session (definition)	95 (66)
Rejection (assembly resolutions, amendments):	
adverse and final disposition	49 (1)(b)
definition of "rejection"	95 (67)
motion not permitted twice on same day at same stage of proposal	72
precedence of motion for	65 (2)(h)
Relating clause read when proposal is taken up	40 (2)
Remain informal (definition)	95 (68)
Removal of employes to officers and members of assembly	7 (1)
Remove from table, motion acted on without debate	67
Report of committee to assembly:	
administrative rule reviewed by committee	20
proposal: with recommendations	18
proposal: without recommendation	19
time limit for	17m
Report of committee without recommendation, question before assembly	47 (4)
Request (definition)	95 (69)
Rereferral of proposal to committee	13 (1)(am), 45 (1)
Rescind (definition)	95 (70)
Resolution, <i>see</i> Assembly resolution, Joint resolution	
definition of "assembly resolution"	95 (71)
Retirement contributions, records kept by chief clerk	5 (1)(s)
Review of administrative rules, committee for; <i>see also</i> s. 13.56 stats.	9 (6)
Review of the farmland preservation program, committee on	9 (1)(sm)
Revival of amendment	18 (3), 47 (2)
precedence of motion for	65 (2)(f)
Roll call; <i>see also Quick Finder</i> :	
adjournment under call, required for	86 (3)

appeal from ruling of presiding officer, required for	62 (7)
assembly rules, majority of current membership required for change of	89
attendance taken by roll call vote	30 (1)
ayes and noes shown in journal	76 (9)
call of the assembly, chief clerk calls roll	85
chief clerk not to be interrupted during roll call vote	82
conference report, approval of, <i>see</i> joint rule 3 (3)	
election of officers, required for; <i>see also</i> art. IV, sec. 30, Wis. Con.	1
ending debate, required for (seconding required)	71
fiscal bills, required for, <i>see</i> joint rule 11	
interruption of roll call vote out of order	76 (7)
mandatory when required by constitution, law, joint rule or assembly rule ...	76 (3)
member may be excused from voting for special cause	77
member not in chamber not counted	76 (6)
pairs not counted as part of outcome	79 (4)
permitted when requested with support of 15 seconds	64, 76 (3)
presiding officer may order at own discretion	76 (3)
presiding officer votes and is recorded	78
question, how stated	75 (2)(b)
question lost when vote results in tie	81
recess under call, required for	86 (3)
roll call day (definition)	95 (73)
roll call vote (definition)	95 (74)
rules, required to change (majority of current membership)	89
suspension of rules (consent or 2/3 roll call required; when by majority)	90
tally by chief clerk or electric voting machine is official and final	76 (4)
voting machine used when available	76 (4)
Roll call day (definition)	95 (73)
Roll call vote (definition)	95 (74)
Rules (assembly or joint); <i>see also</i> Administrative rules	
authority and interpretation; <i>see also</i> art. IV, sec. 8, Wis. Con.	91
change or rescind:	
only by resolution stating proposed change	89 (1)
roll call required (majority of current membership)	89
continuity	92
interpretation by presiding officer	3 (1)(g), 91
of assembly:	
apply to committee procedures as applicable	11
in force in succeeding biennial session until amended or rescinded	92
together with joint rules govern parliamentary practice	91
of procedure (definition)	95 (75)
power to make granted by art. IV, sec. 8, Wis. Con.	91
reference to established precedents of both houses in interpretation of	91 (2)
reference to Jefferson's manual under specified conditions	91 (1)
reference to Mason's manual and long-established custom in interpre-	
tation of	91 (2)
special, extended or extraordinary session, certain rules modified	93

suspension of; <i>see also</i> Suspension of rules (consent or 2/3 roll call required; when by majority)	90, 95 (90)
Rules; committee on	24
administrative rules review, how scheduled	15 (6)
conference report, may schedule debate on	45 (6)
finance committee referral, when required returns bill to speaker	24 (3)(a)
functions as standing committee and as calendar scheduling committee	24 (2)
permitted to introduce proposals in special, extended or extraordinary session	93 (2)
proposal received for calendar scheduling: may refer to appropriate calendar	24 (3)(b)
proposal withdrawn from any other committee, rules committee schedules for calendar	15 (5)
resolutions for special orders	33
tabled proposal or other matter, rules committee may schedule for calendar	74
vetoes, how referred to calendar	24 (5), 44
withdrawing of bills requiring (but lacking) emergency statement: not permitted	15 (1)(b)
Ruling (definition)	95 (76)
Rural affairs and forestry; committee on	9 (1)(l)

S

Schedule of committee activities; <i>see also</i> Public hearing:	
chief clerk supervises preparation	5 (1)(b)
committee chairperson files lists of public hearings with chief clerk on or before Monday noon of each week	14 (2)
special, extended or extraordinary session proposals need not be shown in ...	93 (3)
Seats in chamber: speaker determines division in consultation with caucuses; floor leaders settle disputed assignments	2 (4)
Second reading:	
main question conforms to committee recommendation; exceptions	47
proposals referred to by speaker or committee on rules	24 (3), 45 (1), (4), 74
purpose: consideration of amendments	46
question, how stated	75 (1)(a)
temporary reversion to: corrective amendment by committee on assembly organization	23 (2)
Seconding a request	64, 95 (89)
Seconds, motions or requests requiring	
call of the assembly	83 (3)
ending debate	71
requesting a roll call vote	76 (3)
Secretary of state receives (upon completion of the biennial session) the important records and documents held in the custody of the chief clerk; <i>see also</i> art. VI, sec. 2, Wis. Con.; s.14.38 (3) and (5) stats.; joint rule 33 (3)	5 (1)(p)
Securing attendance of absent members (call of the assembly)	83 to 88
Senate:	
amendment to assembly proposal, may be amended	52 (2)(b)
assembly not to question validity of senate action	62 (5)

message in regular order of business	31 (4)
message from, may be received, read and referred at any time	32 (1)
message to:	
certified and transmitted after time for reconsideration expires	50
special order messaged by majority vote	33 (4)
Senate president (or speaker) presides over joint convention	32 (2)
Sergeant at arms; <i>see also</i> art. XIII, sec. 6, Wis. Con.; s. 13.18 stats.:	
absent members, carries out instructions in compelling attendance of	6 (1)(h)
assistant sergeant at arms, directs office in sergeant's absence	6 (2)
call of assembly:	
closes doors when call is ordered	84
finds and brings in absent members	85
may report result of proceedings at any time	86 (4)
chamber:	
coming and going to and from, supervises	6 (1)(b)
keeps open one hour before and after each daily session	6 (1)(d)
custom, rule, directive of assembly, or law: performs duties assigned to	
office by	6 (1)(j)
definition of "sergeant at arms"	95 (78)
disturbances in chamber, carries out instructions of presiding	
officer relating to	6 (1)(g)
documents, supervises provision of	6 (1)(c)
doors of assembly, closes when call is ordered	84
duties	6 (1)
election; <i>see also</i> s. 13.18 stats. (roll call required)	1
employees; <i>see also</i> joint rule 91	6 (1)(e), (f), 7
assigned to sergeant's office, supervises	6 (1)(e)
certifies names and compensation	6 (1)(f)
flag, U.S., display in committee room	6 (1)(k)
orders of assembly and of presiding officer, carries out	6 (1)(a)
personnel management system for assembly, assists chief clerk	6 (1)(i)
removal, resignation	1
results of proceedings under call, may report at any time	86 (4)
speaker of the assembly, sergeant at arms subordinate to	6 (1)(j)
term of office; <i>see also</i> s. 13.18 stats.	1
Session, regular (definition)	95 (66)
Simple amendment, <i>see</i> Amendment	
Simple resolution, <i>see</i> Assembly resolution	
Sine die adjournment (definition)	95 (79)
Small business and economic development; committee on	9 (1)(u)
Smoking, not permitted on floor or in galleries	26 (5)
Social security records kept by chief clerk	5 (1)(s)
Speaker:	
administrative rules review: referral to committee; notice of	
withdrawal	3 (1)(r), 13 (2)
administrative rules review: rereferral to committee	13 (2)(h)
agent for assembly, designated as	3 (1)(k)

amendment, rules on admissibility when germaneness is questioned	54 (2)
appeal of ruling by (roll call required)	62 (7)
arrest of witness: when subpoena is disobeyed, issues summary	
process for	3 (1)(o)
business before assembly, announces	3 (1)(b)
chamber, maintains order, decorum and quiet in	3 (1)(f), 6 (1)(g)
committee:	
announces order that members may speak (no appeal)	56 (2)
appoints majority party members to each	3 (1)(j), 9 (2)(b)
determines number of members and party division for	9 (2)(a)
meeting times and places assigned by speaker	9 (9), 11 (3), (11)
meeting times and places assigned by speaker and	
minority leader	11 (11)(b) and (c)
nonvoting member of every committee	9 (8)
refers proposals to	13 (1)(am), 24 (3)(a), 39 (4)(c), 42 (1)(b), (3)(a), 45 (4), (5)
special committee, appoints	10
temporary special committee, creates	10 (2)
communication, may order reproduced in journal	37 (2)
custom, rule, directive of assembly, or law: performs duties assigned	
to office by	3 (1)(s)
daily session, calls to order	3 (1)(a)
debate, maintains order during	3 (1)(e)
decides who has the floor (no appeal)	56 (2)
decorum, preserves order, quiet and	3 (1)(f), 26 (1)
definition of "speaker"	95 (80)
discharge of duties subject to commands of assembly	3 (1)(k)
disturbance in chamber, instructs sergeant at arms	3 (1)(f), 6 (1)(g)
duties	3 (1)
election; <i>see also</i> s. 13.13 (1) stats. (roll call required)	1
employees of, appointment and removal	7 (1)
enrolled bill, may direct immediate messaging to governor	23 (4)
finance committee, refers bills to, from rules committee	24 (3)(a)
floral pieces or similar memorials, authorizes; <i>see also</i> s. 13.14 (2) stats.	3 (1)(n)
germaneness of amendment, rules on when question is raised	54 (2)
joint survey committee, refers proposals to	24 (3)(a), 42 (1)(b), 45 (4)
journal, may order communication reproduced in	37 (2)
manual of assembly, directs preparation of	94 (1)
member of:	
all standing committees (nonvoting)	9 (8)
committee on assembly organization	9 (3)
committee on rules	24 (1)
members, certifies mileage reimbursement for	3 (1)(m)
messages from other branches of government, receives	3 (1)(h)
midterm vacancy, speaker pro tempore calls election	1, 3 (2)
motions made by members, states and puts	3 (1)(c), 63
oath of office, may administer to members and officers	3 (1)(p)
office assignment	78

order, decorum and quiet, enforces	3 (1)(f), 26 (1)
parliamentary procedure, informs members on	3 (1)(g), 57 (1)(e)
petition to withdraw proposal from committee, receives copy	15 (4)(a)
points of order, rules on	3 (1)(g), 62 (3), (3m)
presides over assembly	3 (1)(a)
presides over joint convention when senate president absent	32 (2)
proposals, refers to standing committee, special committee, next calendar or committee on rules	13 (1)(am), 24 (3)(a), 29 (1), 39 (4)(c), 42, 45, 89 (2)
question for current action, stated by	75
quiet, decorum and order, enforces	3 (1)(f), 26 (1)
recognition of members seeking floor, decides order of	56 (2)
removal, resignation	1
represents assembly and declares its will	3 (1)(k)
rereferral to committee	13 (1)(am), 45
respect to	26 (2)
roll call vote:	
may order on any question	3 (1)(d), 76 (3)
required, when, <i>see Quick Finder</i>	
votes and is recorded on	78
rooms in Capitol, assigns to members	3 (1)(q)
seats in chamber, divides in consultation with caucuses	2 (4)
signature:	
assembly bills which have passed both houses	5 (1)(o)
authenticates acts, orders, proceedings of assembly	3 (1)(i)
citations issued on behalf of assembly	97 (4)
speaking: members not to cross or leave floor	26 (2)
subpoenas, issues for witnesses required by assembly or committee	3 (1)(o)
supervisory capacity over all other officers of the assembly	3 (1)(L)
temporary special committees	10 (2), (3)
term of office; <i>see also</i> s. 13.13 (1) stats.	1
votes and is recorded on all roll call votes	78
voting:	
announces results of	3 (1)(c)
roll call, may order on any question	3 (1)(d), 76 (3)
roll call required, when, <i>see Quick Finder</i>	
states question	75
withdrawal from committee	13 (2)(b), 42 (3)(c)
Speaker pro tempore; <i>see also</i> Speaker:	
carries out duties of speaker in absence of speaker	3 (2)
definition of "speaker pro tempore"	95 (81)
election; <i>see also</i> s. 13.13 (2) stats. (roll call required)	1
employees of, appointment and removal	7 (1)
member of:	
committee on assembly organization	9 (3)
committee on rules	24 (1)
removal, resignation	1
signs citations issued on behalf of the assembly	97 (4)

term of office; <i>see also</i> s. 13.13 (2) stats.	1
Special committee:	
appointment	10
ceases when final report made, objective accomplished or termination	
date arrives	10 (1m)
creation of, not impaired by motion for reconsideration	10, 73 (10)
creation of by speaker, only if no additional legislative employe hired	10 (3)
ethics and standards of conduct, special committee on	21, 43 (3)
definition of "special committee"	95 (82)
not to meet during daily session (except conference committee)	12
precedence of motion to refer to	65 (2)(e)
refer to, motion not permitted twice on same day	72
rereferral to	13 (1)(am), 45 (1)
temporary special committees	10 (2), (3)
Special order of business:	
call for may interrupt member while speaking	57 (1)(g)
considered in order of time for which scheduled	32 (3)(a)
continuing	33 (5)
definition of "special order of business"	95 (83)
delayed calendar: time limits set by resolution control	60 (2)
message to senate: by majority vote	33 (4)
notice required: minimum 12 hours	33 (4)
precedence over regular order	32 (3)(a)
priority or sequence of, not lost by adjournment or recess	32 (3)(b)
reconsideration motion: take up immediately (majority may set different	
time)	33 (4)
resolutions to establish	33
scheduled special order: does not interrupt special order under discussion .	32 (3)(c)
third reading, advance to: majority vote	33 (4)
time limit for debate set by resolution	33 (1)
Special privilege	61 (3)
Special session (definition)	95 (84)
certain assembly rules modified	93
Staffing pattern for assembly established by organization committee	7 (4)
Stage (definition)	95 (85)
Standards of conduct, special committee on ethics and	21, 43 (3)
Standing committee; for specific committee, <i>see</i> [Subject], committee on:	
administrative rule:	
assigned to committee for review	13 (2)
committee report on review of	20
chairperson appointed by speaker	9 (2)(bm) and (c)
definition of "standing committee"	95 (86)
introduction of proposal by	18 (5)
list of standing committees	9 (1)
majority party members appointed by speaker	9 (2)(b)
meetings	9 (9), 11 (11), 12
minority party members nominated by minority leader	9 (2)(c)

number of members and party division determined by speaker	9 (2)(a)
precedence of motion to refer to	65 (2)(d)
ranking minority member	9 (2)(cm)
report to assembly:	
administrative rule reviewed by committee	20
proposal: with recommendations	18
proposal: without recommendation	19
room assignments	9 (9)
speaker nonvoting member of all	9 (8)
subcommittees, chairperson of committee may appoint	11 (2)
vice chairperson appointed by speaker	9 (2)(bm)
State affairs; committee on	9 (1)(v)
Subcommittees, may be appointed by chairperson of committee	11 (2)
Subpoenas for witnesses	3 (1)(o)
Subsidiary motions (definition)	95 (87)
Subsidiary motions and requests during debate	65 (2)
Substantive corrections in proposal by committee on assembly organization	23 (2), (3)
Substitute amendment:	
adoption of one of a series cuts off action on others	55 (3)
amendment to amendment to substitute: permitted	52 (2)(a)
consideration of amendments to	55 (2)(a)
definition of "substitute amendment"	95 (88)
division not proper	80 (4)
how offered by committee	18 (2)
read at length if not provided	35 (2)
sequence of considering	55 (1)(a), (b), (c)
takes place of original proposal if adopted	52 (2)(a)
Successive calls of assembly on same question	88
Sufficient seconds (support of 15 members required):	
definition of "sufficient seconds"	95 (89)
procedure	64
required for:	
call of the assembly requested by a member	83 (3)
motion to end debate	71
roll call vote requested by member	76 (3)
Survey committees, joint:	
bills may not be withdrawn from	15 (1)(a)
rules committee may return bill to speaker for referral to	24 (3)(a)
simultaneous referral of bill to several committees	42 (1)(b), (c)
subsequent reference of bill originally referred to	45
Suspension of rules (consent or roll call required):	
by two-thirds roll call vote of members present	90
by unanimous consent	90
definition of "suspension of the rules"	95 (90)
limited to achieving purpose stated in request or motion	90 (3)
motion acted on without debate	67

not to be used for frivolous, indecorous, dilatory purposes	90 (5)
privileged motion or request	65 (1)(a)
proper at any time, under any order of business, except while voting	90 (4)
purpose sought to be stated in motion	90 (2)

T

Table, motion to:

applies only to proposals currently before assembly	74 (1)
calendar, rules committee may refer tabled proposal to	74
motion to place on: debate limited to 10 min. (2 min/member)	74 (2)
motion to take from: not debatable	67
not amendable	74 (2)
not applicable to procedural motions	74 (3)
precedence of motion	65 (2)(a)
temporary disposition (unless referred to calendar by rules committee)	74
when not referred to calendar by rules committee, tabled proposal may be taken from table at any time by order of assembly	74
withdraw from committee, motion may be tabled unless made under suspension of rules	74 (3)
Take from table, motion acted on without debate	67
Television representatives admitted to floor of assembly when engaged in reporting proceedings	25 (3)
Temporary presiding officer	4
Temporary special committee	10 (2), (3)
Third reading:	
corrective amendment by committee on assembly organization	23 (2)
purpose	48 (1)
question, how stated	75 (1)(b)
senate sent proposals after time for reconsideration expires	50
special order may be advanced to 3rd reading by majority vote	33 (4)
Three readings:	
bills to receive before passage	40 (1)
on separate and nonconsecutive legislative days	40, 41
special order or session, majority vote permits advancement to next stage	33 (4), 93 (7)
Tie vote loses question	81
any member may move reconsideration	73
Time limit on debate:	
adoption or rejection of special order resolution (5 min/question)	33 (3)
business on delayed calendar: 5 min/member, 20 min/question	60 (1)
motion for reconsideration: 3 min/member	73 (7)
motion to lay on the table: 2 min/member, 10 min/question	74 (2)
under special orders: set by resolution	33 (1)
Title of bill; <i>see also</i> joint rule 52 (1):	
chief clerk or legislative reference bureau to make technical corrections	36
special provisions relating to appropriations, penalties, rule-making	36 (1)(c)
Title of committee, any business relevant to, subject to hearings	14 (1)
Tourism and recreation; committee on	9 (1)(w)

Transmittal of proposals:

to governor by directive of assembly or speaker	23 (4)
to senate	50
Transportation; committee on	9 (1)(vm)
Two-thirds vote required; <i>see also</i> joint rule 12:	
to suspend rules	90
to withdraw bill from committee; exception	15 (3)

U

Unanimous consent; *see also* Suspension of rules:

definition of "unanimous consent"	95 (92)
not objected to, suspends only rules necessary to achieve stated purpose	90 (3)
not to be used for frivolous, indecorous or dilatory purposes	90 (5)
request fails if objection is heard	90
request for, must contain statement of purpose sought	90 (2)
request not confined to any particular order of business	90 (4)
Unfinished calendars, taken up prior to 5th order on current calendar	29 (4)
United States constitution, joint resolution to ratify amendment receives	
3 readings	41 (2)
United States flag displayed during committee meetings	6 (1)(k)
Universities; committee on colleges and	9 (1)(d)
Urban and local affairs; committee on	9 (1)(x)
Utilities; committee on	9 (1)(y)

V

Veterans and military affairs; committee on	9 (1)(z)
Veto:	
assembly action on, not subject to motion for reconsideration	73 (1)(b)
definition of "veto"	95 (93)
entirely vetoed bill, may not be divided	80 (4)
governor's objections sustained: final and adverse disposition	49 (1)(h)
partial, how may be divided	80 (5), (6)
overruled by legislature, chief clerk certifies and deposits with secretary of state	5 (1)(q)
scheduling for action	31 (5), 44
Vice chairperson of standing committee	9 (2)(bm)
Violation of rules by member during debate	58
Voice vote:	
definition of "voice vote"	95 (94)
question, how stated	75 (2)(a)
question decided by, any member may move reconsideration	73
used unless roll call requested or required	76 (2)
Voting; <i>see also</i> Roll call, Quick Finder :	
committee: members vote in order of appointment	11 (6)
every member present must vote; exception	77
interruption of roll call not permitted	76 (7), 82
member may be excused for special cause	77

member must be in chamber when	76 (5), (6)
pairs not counted as part of outcome	79 (4)
pairs not considered present	79 (5)
presiding officer votes	78
question lost when vote results in tie	81
special majority or quorum requirements, <i>see</i> joint rules 11 and 12	
Voting machine:	
journal record of absence may be corrected upon request after arrival	30 (1)
record is official and final	76 (4)
record not altered by request "to be recorded"	76 (8)
roll call vote: machine to be used when available	76 (4)
tally to show names and totals	76 (9)

W

Ways and means; committee on	9 (1)(zd)
Whole, committee of, <i>see</i> Committee of the whole	8
Wisconsin constitution, <i>see</i> Constitution, procedure on resolution proposing change	
Withdraw administrative rule	3 (1)(r), 13 (2)
Withdraw amendment, request by author proper during debate	66 (1)(g)
Withdraw motion, request by maker during debate	66 (1)(f)
Withdrawing a proposal from committee:	
after first 21 days	15 (1)
bill withdrawn: journal shows reported without recommendation	19 (3)
by speaker	42 (3)(c)
motion made on first legislative day of week (usually Tuesday)	15 (2), 31 (13)
motion may be tabled unless made under suspension of rules	74 (3)
petition to withdraw	15 (4)
subsequent motions (or petitions), two-thirds vote required	15 (3)
withdrawn proposal placed in committee on rules for calendar scheduling	15 (5)
Without recommendation, committee report	19
Witness: subpoena and summary process, how issued	3 (1)(o)

Y-Z

Yielding the floor, recognized through presiding officer	56 (3), 57 (1)(f), (2)
Yielding to question:	
one member may interrupt another who has floor	57
recognized through presiding officer	56 (3)
request proper during debate	66 (1)(k)

Quick Finder:

QUORUM ROLL CALL MAJORITY

Quorum

A majority of the current membership of the assembly constitutes a quorum for the transaction of business unless a higher number is required by the state constitution, law or legislative rule. Assembly Rule 30 (2) and Joint Rule 11 (1).

Three-fifths of the **members elected** (60 representatives) is the quorum for final approval of fiscal bills; Wis. Con. VIII-8.
Consequently, the minimum majority for approval of fiscal bills is 31 representatives.

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 assembly may decide any question by a voice vote unless a roll call is ordered by the presiding officer or at the request of a member with 15 seconds, or is required by the state constitution, law or legislative rule. Assembly Rule 76 (2). A roll call vote, with the ayes and noes entered in the journal, is required for any assembly 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; Assembly Rule 86 (3).
- Appeal from ruling of presiding officer; Assembly Rule 62 (7).
- Conference committee report, vote to approve; Joint Rule 3 (3).
- Election by the legislature; Wis. Con. IV-30 and Assembly Rule 1.
- Ending debate by motion; Assembly Rule 71.
- Print additional copies of legislative document; Joint Rule 62 (2).
- Ratify amendment to U.S. constitution; Joint Rule 58 (2).

Majority

The assembly 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. Assembly Rule 76 (1) and Joint Rule 12 (1).

Three-fourths of all the **members elected** (75 representatives):
Increased retirement fund benefits, approval of bill to grant;
Wis. Con. IV-26.

Two-thirds of all the **members elected** (66 representatives):
Expulsion of an elected representative; Wis. Con. IV-8.
Removal of judge by address; Wis. Con. VII-13.

Two-thirds of members present and constituting a quorum:

Conduct during debate, exception; Assembly Rule 59.

Suspend a legislative rule; Assembly Rule 90.

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

Withdraw a bill from committee, exception; Assembly Rule 15 (3).

Majority of all the members elected (50 representatives):

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.

Impeachment; Wis. Con. VII-1.

Majority of current assembly membership:

Assembly rule, adopt or change; Assembly Rule 89.

Joint rule, rescind or change; Joint Rule 96 (1).

Lifting a call of the assembly; Assembly Rule 87 (2).

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

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

Majority of members present and voting:

Authorization to use cellular telephone in chamber; Assembly
Rule 26 (6)(b) 3.

Special order established by resolution: reconsideration, advance bill
to 3rd reading, message to senate; Assembly Rule 33 (4).

Special or extraordinary session: reconsideration, advance bill to 3rd
reading, message to senate; Assembly Rule 93 (6), (7).

Special order scheduled by rules committee resolution: advance bill to 3rd
reading, message to senate; Assembly Rule 33 (4).