

State of Wisconsin



ASSEMBLY RULES *

As last affected by 2001 Assembly Resolution 8
Adopted February 13, 2001

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* 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, 1999 Assembly Resolutions 2 and 3, and 2001 Assembly Resolutions 2, 3, and 8, are recorded in notes following the affected rules.

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ASSEMBLY RULES

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(Adopted February 13, 2001)

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. Those 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 of those offices 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 temporary absence of the majority leader or minority leader, the respective assistant leader shall carry out the duties assigned to that leader until the return of the leader. If the majority leader or minority leader is separated by death, resignation, or removal from office, the respective assistant leader shall carry out the duties assigned to that leader until a leader is elected.

(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 the 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]

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

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

(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 the 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 notify 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 that 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 temporary absence of the speaker, the speaker pro tempore may exercise all of the powers and shall carry out all of the duties of the speaker until the return of the speaker. If the speaker is separated by death, resignation, or removal from office, the speaker pro tempore may exercise all of the powers and shall carry out all of the duties of the speaker until a speaker is elected.

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

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

ASSEMBLY RULE 3m. Presiding officer. (1) The presiding officer 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 that 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.

[(title), (1)(intro.) cr. 2001 A.Res. 3]

[(a) to (h) rn. from A.Rule 3 (1) (a) to (h) 2001 A.Res. 3]

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

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

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

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

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 the session.

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

(bm) Supervise the provision of calendars to the members.

(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 or offered on that day, or of any substitute amendment or amendment offered 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 amendments that 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, or is adopted by, the assembly and been concurred in by the senate, or after an assembly joint 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 documents 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 that, 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 employee.

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

(o) Present to the governor for action all assembly bills that 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 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 employee assigned to the clerk's office as assistant chief clerk to direct the duties of that office in the temporary absence of the chief clerk until the return of the chief clerk. If the chief clerk is separated by death, resignation, or removal from office, the assistant chief clerk may exercise all of the powers and shall carry out all of the duties of chief clerk until a chief clerk is elected.

[(1)(b), (c), (d) and (f) am. 1995 A.Res. 2]
[(1)(d), (g), (h), (n) and (p) and (3) am.; (1)(bm) cr. 2001 A.Res. 3]

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, except calendars, 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 employees 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 employee.

(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 that 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 and Wisconsin flag are displayed in the room in which an assembly committee is meeting.

(2) The sergeant at arms shall designate one of his or her employees as assistant sergeant at arms to direct the duties of that office in the temporary absence of the sergeant at arms until the return of the sergeant at arms. If the sergeant at arms is separated by death, resignation, or removal from office, the assistant sergeant at arms may exercise all

of the powers and shall carry out all of the duties of sergeant at arms until a sergeant at arms is elected.

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

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

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

[(1)(c) and (k) and (2) am. 2001 A.Res. 3]

ASSEMBLY RULE 7. Employees; appointment and supervision. (1) The appointment and removal of employees 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 the employee's appointing authority.

(2) Unless otherwise specifically provided, all assembly employees 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) An employee may not be paid for any period of absence unless absent with leave granted by the employee's appointing authority. Every employee shall perform the duties assigned by the employee's appointing authority and shall be available at such hours as the employee's appointing authority directs.

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

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 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 recommendations to the assembly.

(7) The committee may not recess or postpone to a future time a subject before it for consideration.

[(6) am. 2001 A.Res. 3]

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:

- (a) Aging and long-term care, committee on.
- (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.
- (em) Corrections and the courts, committee on.
- (f) Criminal justice, committee on.
- (fm) Economic development, committee on.
- (g) Education, committee on.
- (h) Education reform, committee on.
- (hm) Energy and utilities, 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, committee on.
- (q) Labor and workforce development, committee on.
- (s) Natural resources, committee on.
- (sc) Personal privacy, committee on.
- (se) Public health, committee on.
- (t) Rural affairs and forestry, committee on.
- (u) Small business and consumer affairs, committee on.
- (v) State affairs, committee on.
- (ve) State and local finance, committee on, which shall be known as the select committee on state and local finance.

(vg) Tax and spending limitations, committee on.

(vm) Transportation, committee on.

(w) Tourism and recreation, committee on.

(x) Urban and local affairs, 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 the 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 is the chairperson and the second-named person is 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 is the ranking minority member of that committee unless the speaker and minority leader agree that the first-nominated member is the 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 assembly cochairperson of the joint committee is the chairperson of the assembly committee.

(5) There shall also be an assembly committee on audit consisting of the assembly members of the joint legislative audit committee. The assembly cochairperson of the joint committee is the chairperson of the assembly 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 assembly cochairperson of the joint committee is the chairperson of the assembly 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 assembly

cochairperson of the joint committee is the chairperson of the assembly 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 and technology consisting of the assembly members of the joint committee on information policy and technology. The assembly cochairperson of the joint committee is the chairperson of the assembly 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 is a nonvoting member of any other standing committee, but is 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) cr. 1995 A.Res. 2]

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

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

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

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

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

[(1), (2)(a), (bm) and (cm) and (3) to (8) am. 2001 A.Res. 2]

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

(1m) A special committee may be created by the speaker by written order or may be created by resolution. Any such committee ceases 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 arrives.

(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 an additional legislative employee will not be hired to staff the special committee.

[(1m)(intro.) rn.am.; (1) cr. 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.; (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 a 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 is 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 may not be recorded as voting unless the member is present at the committee session when the vote is taken. This subsection does not apply to the committee on assembly organization, to the joint committee on legislative organization, or to the joint legislative council.

(5) (a) A vote may be held open until the adjournment of the committee session to permit an absent member to vote. Any such vote may 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 temporary absence of the chairperson and the vice chairperson, committee members 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 are scheduled for public hearing or executive action, and, subject to rule 17m, when committee actions are reported to the assembly.

(10) The chairperson shall notify committee members of all committee meetings.

(11) (a) A committee may not 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, a committee may not 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.; (11) cr. 1995 A.Res. 2]

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

[(1) am.; (3m) cr. 1999 A.Res. 3]

[(4) and (7) am. 2001 A.Res. 3]

ASSEMBLY RULE 12. Committees not to meet during daily session. Except for conference committees, a committee may not 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 or offering [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 the business is pending on any reproduced calendar awaiting assembly action. The motion requires a vote of a majority of the members present and voting 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 notify 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 the 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. The rereferral does not extend the standing committee review period.

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

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

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

[(1)(a) and (c) am. 2001 A.Res. 3]

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 that will be held before the 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) A hearing may not 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) A proposal may not be withdrawn from any committee until 21 calendar days have expired since the proposal was referred to the committee. After the 21-day period, a proposal may be withdrawn either by motion or by petition, but:

(a) A bill may not be withdrawn from a joint survey committee.

(b) A bill requiring, but not having, an emergency statement for passage may not be withdrawn from the joint committee on finance or from the committee on rules.

(2) The motion to withdraw a proposal from committee is 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. The motions shall be decided by vote of a majority of the members present and voting.

(3) Once a motion to withdraw a proposal from a committee which requires a vote of a majority of the members present and voting fails, all subsequent motions to withdraw that proposal from the same committee require a vote of two-thirds of the members present and voting for adoption and must 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 before 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 a withdrawal motion or the chief clerk's announcement of receipt of a proper withdrawal petition, the affected proposal is taken from committee and placed in the committee on rules for calendar scheduling, but, if the withdrawal is from that committee, the affected proposal is 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 is considered reported without recommendation and is placed before the committee on rules if a report is not received from the standing committee within 30 days after the date of referral. This subsection does not apply if the bill is introduced within 30 days after the time at which further proposals may not be introduced or offered in the regular session under joint rule 83 (2).

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

[(2), (3) and (6) am. 2001 A.Res. 3]

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) A claim may not be considered by the assembly until it has been reported on by the claims board and then only in the form of a bill.

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

[cr. 1995 A.Res. 2]

ASSEMBLY RULE 18. **Committee report with recommendations.** When the committee to which a proposal is 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 the report is 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 introduces or offers a proposal, it shall include in the 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]
[(5)(intro.) am. 2001 A.Res. 3]

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 a recommendation is not 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) before 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 is 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....

(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 adoption 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 is discharged.

[cr. 1989 A.Res. 27]
[(6) am. 2001 A.Res. 3]

ASSEMBLY RULE 23. Committee on assembly organization. (2) **CORRECTIONS BEFORE 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 that 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 that alters its real intent, the error shall be reported to the committee on assembly organization. If the committee concurs with the judgment of the clerk or bureau, the committee shall offer 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 that has been correctly enrolled may be immediately messaged to the office of the governor.

[(4)(title) cr. 1991 A.Res. 2]
[(3) am. 2001 A.Res. 3]

ASSEMBLY RULE 24. Committee on rules. (1) The committee on rules consists 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 is governed by those requirements and limitations provided in the assembly rules which pertain to establishing calendars and special orders of business.

(b) For all other proposals, action of the committee on rules is governed either by the rules for establishing calendars and special orders or by the rules that 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, or is a senate proposal that, if it were an assembly proposal, should have been 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 the referral.

(4) Notwithstanding sub. (3) (b), any proposal in the committee on rules in the final week of the last general-business 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; 1995 A.Res. 12]

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

[(3)(a) and (4) am. 2001 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-quarter hour before and one-quarter hour after any session. However, none of the following listed persons has 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 extends 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]

[(intro.) am. 2001 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, a member may not cross or leave the floor. While a member is speaking, a member may not walk between the speaking member and the presiding officer.

(3) A person may not read any printed newspaper on the assembly floor or in the visitor galleries while the assembly is in session.

(4) A person may not consume food on the assembly floor or in the visitor galleries.

(5) A person may not smoke on the assembly floor or in the visitor galleries.

(6) (a) Except as provided in par. (b), a person may not use a 2-way mobile radio service, such as a personal communications service, or a 2-way mobile radio device, such as a cellular telephone, in the assembly chamber, other than in the offices of the speaker, majority leader, and minority leader, and in 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.

4. The assembly chief clerk or a person acting at his or her direction.

5. A member in the parlor or lobbies.

(7) A person, other than a person specified in rule 25 (3), may not 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]

[(6)(a) am.; (6)(b) 4. and 5. cr. 2001 A.Res. 3]

ASSEMBLY RULE 27. Absences and leaves. A member may not 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 the day is the first legislative day of any week, the hour of convening is 10 a.m.

[(title) am. 1995 A.Res. 2; 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 or speaker, by the committee on rules, or by action of the assembly, and any other business placed on the calendar under the assembly 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 that, 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 section 230.35 (4) (a) of the statutes, shall be provided to each member at least 12 hours before the calendar is to be acted upon during the last week of the last general-business floorperiod preceding the veto review session and 18 hours before the calendar is to be acted upon at other times.

(4) Unless otherwise ordered, after completion of the 4th order of business on the calendar for the current date, and before 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; 1997 A.Res. 2; 1999 A.Res. 3]

[(1)(intro.) and (3) am. 2001 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 are 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) to (13) rn.am. 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 the messages that is a senate proposal initially received for consideration of the assembly shall be referred and any other proposals referenced in the 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, or offered, and referred when a report, showing the number and relating clause of the proposals introduced or offered 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, is 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 the 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 have precedence over the regular orders of business and shall be considered in chronological order.

(b) The priority and sequence of special orders are not 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 does not interrupt the discussion of the special order 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) and (c) am. 1999 A.Res. 3]

[(1)(b) am. 2001 A.Res. 3]

ASSEMBLY RULE 33. Resolutions for special orders of business. At any time after a proposal is placed on a calendar or referred to or introduced or offered 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 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 the resolution, the floor managers shall allocate debate time among the members of their respective sides. The floor managers shall inform the presiding officer 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. The question before the assembly is 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 is 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 the special order shall be taken up

immediately unless a different time is set by vote of a majority of the members present and voting 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 the order. Any such continuing special order shall be listed by the time and date of the original order and takes precedence over all other proposals that 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 that 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 after the date of referral to an assembly standing committee, the committee on rules shall offer a resolution to make the bill a special order of business. This subsection does not apply if the bill is introduced within 40 days after the time at which further proposals may not be introduced or offered in the regular session under joint rule 83 (2).

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

[(intro.), (1)(b), (4), (5) and (7) am. 2001 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 the assembly rules and the joint rules.

(2) 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) A proposal, conference committee report, or veto, except a resolution under rule 33 or 43, may not 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 or final adoption and concurrence.

(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 bill has not been provided to the members, the chief clerk shall read the estimate or report to the membership before consideration of the bill by the assembly.

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

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

[(1) and (3) am. 2001 A.Res. 3]

ASSEMBLY RULE 36. Clerical corrections to proposals or amendments. (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 or final adoption and concurrence if the same has been omitted.

(c) When necessary, make technical corrections in the title of any proposal so that it shows any 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]
[(title) and (1)(c) am. 2001 A.Res. 3]

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 presented, and name of the communicating person or organization. The speaker 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 speaker, 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 speaker may refer the documents to a committee for disposition. All communications among the documents may be reproduced in the journal when so directed by the speaker or by order of the assembly.

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

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.

[am. 1995 A.Res. 2]

Chapter 5: OFFERING, INTRODUCTION, AND DISPOSITION OF PROPOSALS

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

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

(3) A proposal may not be received for introduction or be offered if changes have been made to the draft prepared by the legislative reference bureau.

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

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

(c) The speaker shall refer a properly jacketed proposal within 14 working days after the office of the chief clerk receives the proposal for introduction or to be offered or on the final legislative day of the last general-business 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.; (4)(c) cr. 1995 A.Res. 2]

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

[am. 2001 A.Res. 3]

ASSEMBLY RULE 40. Readings of bills. (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 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 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 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 or offering of any proposal in the assembly, or the initial receipt of a senate proposal for consideration in the assembly, the proposal shall be read for the first time.

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

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

(am) Notwithstanding par. (ad), the speaker or presiding officer may refer any bill that pertains only incidentally to a matter of concern to a joint survey committee directly to the committee appropriate to the major substance of the bill, and in that case shall direct the appropriate joint survey committee to prepare its report on the bill while that bill is in the

possession of the other committee. This rule does not suspend the requirement that the report of the appropriate joint survey committee must be received before the bill is given its 2nd reading.

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

(c) The presiding officer or speaker may refer any bill 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 introduced or offered together with the speaker's referral, is provided to the members before the 2nd order of business for assembly proposals or the 4th order of business for senate proposals, such provision serves as the first reading and the announcement of the referral of the 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 or offered and referred by the speaker or presiding officer if the action is not in conflict with any limitations imposed by the session schedule or otherwise agreed to by both houses.

(b) Whenever the introduction or offering 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 the recording constitutes the proposal's first reading.

(c) After initial referral by the speaker or presiding officer under sub. (1) (a) or (b) to an assembly committee but before a vote by the committee is commenced on a proposal, the speaker, with the consent of the chairperson and notwithstanding rule 15, may withdraw the proposal from the standing committee to which it was initially referred and rerefer it to another standing committee or to a special committee or refer it to the calendar for the 2nd legislative day thereafter. 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]

[am.; (1)(ad) and (am) cr. 2001 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 is privileged in that it may be offered under any order of business by a member who has the floor and may be taken up immediately before all other proposals, unless referred by the presiding officer to a standing committee or to the calendar.

(2) Any resolution subject to rule 89 that is referred to the calendar shall be taken up on the 8th order of business on the 2nd legislative day after it is offered 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]

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

ASSEMBLY RULE 44. Vetoes. (1) Upon the receipt of a message from the governor that an assembly bill has been vetoed in whole or in part, or of a senate message that the senate has passed a vetoed senate bill or senate proposal vetoed in part, the speaker or presiding officer 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 is before the assembly and may be passed notwithstanding the objections of the governor even if the standing committee has not submitted its report.

[(1) am. 2001 A.Res. 3]

ASSEMBLY RULE 45. Subsequent reference of proposals. (1) Whenever a committee reports on a proposal referred to that committee, the speaker or presiding officer 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 or presiding officer 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 before the 3rd order of business, the report may 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 bill 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 or presiding officer 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 bill 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 or presiding officer either to a standing committee, or to the calendar for the 2nd legislative day thereafter, or to the committee on rules.

(4) When a bill, 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 bill shall be so referred by the speaker or presiding officer.

(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 or presiding officer to another committee or to the calendar if the action is not in conflict with any limitations imposed by the session schedule or otherwise agreed to by both houses.

Whenever the 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]
[(1) to (5) am. 2001 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 the 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 the proposal, the question is: "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 is: "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 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 that 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 is "Shall the bill be passed?", on assembly joint resolutions is "Shall the joint resolution be adopted?", and on senate proposals is "Shall the proposal be concurred in?"

[(2) am. 1995 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, may not be considered by the assembly in that biennial session.

ASSEMBLY RULE 50. Messaging to the senate. (1) Each proposal that passes or is adopted 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 the passage, adoption, or adverse disposition fails or the time for making the motion expires, 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, the proposal shall be transmitted to the senate together with a certified report of the assembly's action.

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

[(1) am. 2001 A.Res. 3]

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

ASSEMBLY RULE 51m. Advice and consent of the assembly. (1) Whenever the governor submits to the assembly a nomination for an appointment as required by law, the assembly committee on organization shall introduce a resolution, stating that it is introduced at the request of the governor, to confirm the appointment. The speaker shall refer the resolution to the standing committee that the speaker deems to be the most appropriate committee to pass upon the qualifications of the candidate. The committee

shall report its findings and recommendations to the assembly in writing. Nominations by the governor may be considered, and the persons so nominated may with the advice and consent of the assembly and senate be appointed, in special as well as in regular sessions.

(2) On the question of the adoption of a resolution confirming appointments by the governor, the vote, notwithstanding rule 76 (4), shall be taken by an oral calling of the ayes and noes, which shall be entered upon the journal. Adoption of the resolution requires a majority vote of the elected membership. The question of adoption of a resolution confirming appointment is not subject to a motion for reconsideration under rule 73. The assembly may, but is not required to, act upon an appointment resubmitted by the governor when the identical appointment has once been refused confirmation by the assembly. The chief clerk shall record the cumulative status of all appointments in the bulletin of proceedings. The assembly shall inform the governor and the senate of its final action on confirmation of a nomination for appointment.

[cr. 2001 A.Res. 8]

Chapter 6: AMENDMENTS

ASSEMBLY RULE 52. Offering amendments. (1) Amendments to proposals may be offered after introduction of 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 may 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 assembly rules.

(4) An amendment to a report of a committee of conference may not be offered.

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

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

[(4) cr. 2001 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. An amendment prepared by the legislative reference bureau may not be received for consideration if changes have been made to the draft 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 before 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 the permission is requested and granted, the substantive text of any floor amendment adopted by the assembly remains as provided or read to the membership by the chief clerk, but the legislative reference bureau shall prepare a copy that incorporates any nonsubstantive, technical corrections required by rule 36.

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

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

[(intro.) am. 2001 A.Res. 3]

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

(3) Assembly amendments that 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 bill is limited to repealing the law; or 2) repealing a statute or session law when the purpose of the bill is limited to amending the law.

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

(f) An amendment that 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.

(h) An amendment to a resolution confirming a nomination for appointment under rule 51m.

(4) Amendments that are germane include:

(a) A specific provision amending a general provision.

(b) An amendment that 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 bill.

(e) An amendment relating only to particularized details.

(f) An amendment that 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.Res. 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 before 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 another substitute amendment has not 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 before action on the substitute amendment.

(b) Whenever a simple amendment is before the assembly, amendments to it shall be considered in numerical sequence before 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) and (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 or by the county or municipality in which the member resides.

(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]

[(1) am. 2001 A.Res. 3]

ASSEMBLY RULE 57. Interruptions. (1) Once a member has been recognized and has the floor, the member may speak without interruption unless questions arise that 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 that 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, the member may 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 assembly 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, a member may not:

(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 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 working, debate is limited, as follows:

(a) A member may not speak for more than 5 minutes on any question.

(b) A question may not 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 that requires immediate attention.

(2) "PERSONAL PRIVILEGE": With recognition by the presiding officer, any member may rise to explain a personal matter that affects the rights, reputation, and conduct of the member in his or her representative capacity. A pending question may not be discussed in the 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) A member may not 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 that 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 removes 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 general-business floorperiod 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 is: "Shall the decision of the chair stand as the decision of the assembly?"

(7) Appeals are debatable and are decided by a majority of the members present and voting on a roll call vote. The presiding officer may vote on appeals.

[(3m) cr. 1995 A.Res. 2]
[(3m) and (7) am. 2001 A.Res. 3]

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 before 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 offer 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 not in order while a 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 the assembly rules, the 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) and (g) am. 1999 A.Res. 3]

[(1)(i) am. 2001 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, if 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) do not have an 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, are decided without debate.

[am. 1995 A.Res. 2]

ASSEMBLY RULE 68. Amendments to motions to be germane. Amendments to amendable motions are subject to the rules of germaneness in rule 54 as if they were amendments to proposals and amendments.

[am. 2001 A.Res. 3]

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 are not be in order unless other significant business has intervened between the motions or unless no other business is pending before the assembly.

(4) While a motion remains undecided pending the presiding officer'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.

[(4) am. 2001 A.Res. 3]

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 no other main question is 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, may not be debated, and is decided by a roll call vote.

(2) If the motion prevails, debate on the proposal ends and all pending and subsequently entered motions concerning the proposal are decided without debate in the order prescribed by the assembly 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 that 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 or of a resolution confirming a nomination for appointment under rule 51m; 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 that occurs at least 2 calendar days after the decision was made.

(b) On the final legislative day of the last general-business 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 that day by vote of a majority of the members present and voting.

(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 a motion to reconsider a decision on an amendment does not prevent the consideration of the motion under the proper order of business on that calendar day.

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

(c) A motion to reconsider a decision on any amendment may not 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 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, are in order if otherwise permitted under this rule.

(6) Once a motion to reconsider is entered, it may be withdrawn only by the member who made the motion and only before the expiration of the time 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, a member may not speak more than once or 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 is not required to reach that stage.

(9) When a motion to reconsider has been entered to return a proposal to the amendable stage, the maker of the motion may offer one new amendment to that proposal, which shall be provided 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) and (3)(a) am. 1997 A.Res. 2]
[(4)(a) and (9) am. 1999 A.Res. 3]
[(3)(b) and (9) am. 2001 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 the 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 in order only 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, a member may not 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) (nonconcurrent in)?"

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 (concurrent in) (nonconcurrent in)?"

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 (concurrent in) (nonconcurrent in)?"

(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.; (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 are 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 ordered 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 may 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 is 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 may 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, is 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 does 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) A pair may not 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 is not 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 presiding officer 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 may 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. A report of a committee of conference 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 presiding officer 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 that, 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 presiding officer shall first put the question on the independent proposition. The question on any proposition dependent thereon may 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]

[(2), (4), (5)(b) and (6) am. 2001 A.Res. 3]

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

ASSEMBLY RULE 82. **Interruptions of clerk during roll call.** A person may not 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 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 members may not 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 further action may not 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. 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 offered as a resolution.
- (2) Any resolution affecting assembly rules shall be referred by the speaker or presiding officer to the calendar for the 2nd legislative day after it is offered, 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 after it is offered if the resolution has been provided to the assembly members-elect of the new legislature at least one week before the convening of the session.

[(2) am. 1999 A.Res. 3]
[(1) and (2) am. 2001 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 that 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 are not 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, govern the assembly's parliamentary practice.

(1) In the absence of a pertinent assembly or joint rule, questions of parliamentary procedure are 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 the assembly rules and the rules in Jefferson's manual.

ASSEMBLY RULE 92. Continuity of assembly rules. The rules of the assembly 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 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, 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 committees on organization or called by a joint resolution adopted by one house and concurred in by the other house:

(1) A proposal or amendment may not 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 or introduced only by the assembly committees on finance, organization, or rules, or by the joint committees on employment relations, finance, or organization.

(3) A notice of hearings before committees is not required other than posting on the legislative bulletin boards, and a schedule of committee activities need not be published.

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

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

(6) All motions to reconsider shall be taken up immediately unless a different time is set by vote of a majority of the members present and voting 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; 1999 A.Res. 3]

[(intro.), (2), (4) and (6) am. 2001 A.Res. 3]

ASSEMBLY RULE 94. Content, format, and style of rules and manual. (1) The assembly manual shall be composed of pamphlets containing the assembly rules, 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 assigned to the provisions.

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

(3) (a) Within one week after 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 the assembly rules as affected by the 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 the assembly rules for insertion into the assembly manual.

(c) As directed by the chief clerk, any resolution amending the assembly 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 the assembly rules or traditionally used in deliberations on the floor.

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

(2) **ADJOURN:** To conclude a legislative day's business [see also sub. (79)].

(3) **ADOPTION:** Approval of a motion, amendment, substitute amendment, simple resolution, or joint resolution.

(4) **AMENDMENT:** A suggested alteration in any proposal, often referred to as a simple amendment in distinction to a substitute amendment intended to take the place of the proposal.

(5) **APPEAL:** A member's challenge of a ruling on a point of order. To prevail, an appeal requires the support of a majority of the members present.

(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 passage by one house and concurrence of the other house of the legislature and approval of the governor, or passage notwithstanding the objections of the governor by a two-thirds vote in each house, or that becomes law without the signature of the governor, 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 position that the presiding officer fills.

(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 to the assembly and of 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, have been removed, or have died.

(22) **DILATORY:** To delay.

(23) **DIVISION OF THE QUESTION:** To break a question into 2 or more separate propositions.

(24) **ELECTED MEMBERSHIP:** The members of the assembly, certified as elected in the last general election, including those who have subsequently resigned, have been removed, or have died.

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

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

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

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

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

(29) **FLOOR OF THE ASSEMBLY:** That portion of the assembly chamber that 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 that generally relates to the proceedings, procedures, and subsidiary questions during debate, and that must be disposed of before proceeding to the main question under consideration. Incidental questions have lower precedence than privileged questions, but higher precedence than subsidiary and main motions.

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

(36) **INTRODUCTION:** The formal presentation of a bill before 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 on which the legislature is in session.

(44) **MAIN MOTIONS AND QUESTIONS:** The final affirmative question concerning a proposal during any stage of its consideration or any motion made or question raised when no other

matter is before the assembly. Main questions have lower precedence than privileged, incidental, and subsidiary questions.

(45) MAJORITY: One more than one-half.

(46) MANUAL: The publication containing the rules of the assembly, the joint rules, the session schedule, the state constitution, alphabetical indexes, and other materials considered 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.

(50m) OFFER: The formal presentation of a joint resolution, resolution, substitute amendment, amendment, or motion before the assembly.

(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 the question if one or both are absent with leave, 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 a matter of parliamentary procedure.

(57) PRECEDENT: A previous ruling, decision, or action used to interpret legislative rules.

(57m) PRESIDING OFFICER: The person presiding over the assembly in session. [see also subs. (11), (80), and (81)]

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

(59) PRIVILEGED MOTIONS AND REQUESTS: A group of motions and requests relating to basic questions concerning the meetings, organization, rules, rights, and duties of the 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, to select officers, and to organize itself for the conduct of its business, but if the first Monday falls on January 1 or 2, the legislature organizes on January 3. Daily meetings begin in January of each year and continue throughout the biennium until the final adjournment of the session. "Session" is also often used to refer to the daily meetings of the legislature.

(67) REJECTION: An action for the adverse and final disposition of: a) a resolution or joint resolution for the biennial session of the legislature; b) an amendment or substitute amendment with regard to one specific document; c) the application of a motion to the current situation; and d) the report of a committee.

(68) REMAIN INFORMAL: A temporary suspension of proceedings in the assembly.

(69) REQUEST: A proposed action that 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 requested action.

(70) RESCIND: An action by which the assembly nullifies an action on a proposal so as to enable the assembly to again consider a proposal from a given stage. When a motion to rescind 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; b) changing the assembly rules; or c) confirming a nomination for appointment under rule 51m.

(73) ROLL CALL DAY: A legislative day on which any roll call is taken.

(74) ROLL CALL VOTE: A vote on which each member voting is recorded by name.

(75) RULES OF PROCEDURE: The legislative rules that govern the conduct of legislative business.

(76) RULING: The presiding officer's decision on a point of order.

(78) SERGEANT AT ARMS: The officer elected by the members to perform and direct the police and custodial functions of 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 the assembly rules, the joint 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 until the return of the speaker or until a speaker is elected.

(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 that 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 that, 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 the assembly rules.

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

(92) **UNANIMOUS CONSENT:** A request to suspend the rules for a specific purpose; if an objection is not heard, it is assumed that the request has the consent of the entire body.

(93) **VETO:** The action by which a bill or a part thereof is rejected by the governor.

(94) **VOICE VOTE:** A vote taken by asking the members in favor of a question to say "aye" simultaneously and then the members opposed to likewise say "no."

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

[(3), (4) and (6) am.; (27m) and (33m) cr. 1995 A.Res. 2]

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

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

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

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

[(intro.), (1), (7), (11), (25) to (28), (35) and (36) am. 2001 A.Res. 3]

[(50m) and (57m) cr. 2001 A.Res. 3]

(76), (80), (81) and (90) am. 2001 A.Res. 3]

ASSEMBLY RULE 96. Legislative citations. Any motion 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 motion 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 the motion has not been objected to by any member of the assembly, the motion is 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]
[am. 2001 A.Res. 3]

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 that the use of citations may not be abused. The committee on assembly organization may more specifically interpret this subsection.

(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 prepared by employees assigned to the chief clerk, shall be prepared on an artistic form approved by the committee on assembly organization, shall be suitable for framing, and shall be in substantially the following form:

[(3) am. 1995 A.Res. 2]
[(5) am. 1999 A.Res. 3]
[(5)(intro.) am. 2001 A.Res. 3]

(scrollwork incorporating state coat of arms)

CITATION BY THE ASSEMBLY

KNOW YOU BY THESE PRESENTS:

WHEREAS, Glen Pople 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)

ASSEMBLY RULE 98. Campaign committee activity. (1) A member may not schedule, hold, attend, or contribute money for or at a fund-raising social event in Dane County during a floorperiod of the legislature or during a special or extraordinary session if the event is for a member; is sponsored by the member's personal campaign committee, as defined in section 11.01 of the statutes; or is sponsored by a legislative campaign committee, as defined in section 11.01 of the statutes.

(2) Subsection (1) does not apply to a fund-raising social event of a legislative campaign committee held during the period between the first day authorized for filing nomination papers for any special election to the assembly and the date of the special election.

(3) Subsection (1) does not apply to a fund-raising social event of a current member of the assembly or his or her personal campaign committee held during the period between the first day authorized for filing nomination papers for any office for which the current member of the assembly is a candidate and the date of the election for that office, if the event is held within the boundaries of the jurisdiction or district served by the office for which the current member of the assembly is a candidate.

(4) Subsection (1) does not apply to a fund-raising social event of a current member of the assembly or his or her personal campaign committee held during the period between the first day authorized for filing nomination papers for any office, other than representative to the assembly, for which the current member of the assembly is a candidate and the date of the election for that other office.

(5) Subsection (1) does not apply to a fund-raising social event of a current member of the assembly who represents a district that contains part of Dane County, or his or her personal campaign committee, if:

(a) The event is held within the boundaries of the jurisdiction or district represented by the current member of the assembly;

(b) The event is held during a special or extraordinary session; and

(c) The invitations to attend the event are sent before the special or extraordinary session is called.

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February 2001

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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.

Confirmation of gubernatorial appointment 51m (2).

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.

Lieutenant governor, confirmation 51m (2).

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-fifths** 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. to 5.

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).