

# State of Wisconsin



## SENATE RULES \*

As last affected by 2003 Senate Resolution 3  
Adopted February 20, 2003

### Chapter 1: Officers — Election and Duties

President; president pro tempore .....	Rule 1
Presiding offices; officers subordinate to committee on senate organization ...	Rule 1m
Substitute president .....	Rule 2
Duties of president pro tempore and majority leader .....	Rule 3
Voting by presiding officer .....	Rule 3m
Duties of president and presiding officer .....	Rule 4
Election and duties of chief clerk .....	Rule 5
Election and duties of sergeant at arms .....	Rule 6

### Chapter 2: Order and Decorum

Presiding officer to preserve order; appeal .....	Rule 7
Conduct while sitting in session .....	Rule 8
Who may be admitted to the floor .....	Rule 11
Privileges of senate to contestants for seats .....	Rule 12
Disturbance in lobby .....	Rule 13

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\* Under Senate Rule 94 (3) (a), a pamphlet of this type will be printed within one week following the adoption of any resolution making significant changes in the senate rules.

The senate rules were last readopted by 1979 Senate Resolution 2 on January 3, 1979. Subsequent changes, enacted by 1979 Senate Resolutions 3 and 4, 1981 Senate Resolutions 2, 19, 22, and 27, 1983 Senate Resolutions 4, 9, 11, and 13, 1985 Senate Resolutions 2 and 6, 1987 Senate Resolutions 2, 3, and 6, 1989 Senate Resolutions 2 and 3, 1991 Senate Resolution 2, 1993 Senate Resolutions 2, 3, and 7, 1995 Senate Resolution 2, 1997 Senate Resolution 2, 1999 Senate Resolution 2, 2001 Senate Resolution 2, and 2003 Senate Resolution 3, are recorded in the notes following the affected rules.

**Chapter 3: Order of Business**

Hour for meeting .....	Rule	14
Roll call, quorum .....	Rule	15
Leave of absence .....	Rule	16
Order of business .....	Rule	17
Daily calendar .....	Rule	18
Committee of the whole .....	Rule	19
Standing committees of senate .....	Rule	20
Committees of conference .....	Rule	20m
Special committees .....	Rule	21
Advice and consent of the senate .....	Rule	22
Committee not to be absent .....	Rule	23
Committee quorum; subcommittees .....	Rule	24
Business in committees; notice of meeting .....	Rule	25
Schedule of committee activities .....	Rule	26
Committee reports .....	Rule	27
Minority reports .....	Rule	28

**Chapter 4: Proposals — Procedure**

Copies of proposals .....	Rule	29
Filing of proposals .....	Rule	30
Clerical corrections to proposals .....	Rule	31
Reference to proposals and other matters .....	Rule	32
Introduction or offering of new proposals; admissibility of identical proposals; admissibility of resolutions in special session .....	Rule	33
Proposals to be on file one day before action .....	Rule	34
Three separate readings .....	Rule	35
First reading; reference to committee .....	Rule	36
Second reading; ordering to a 3rd reading .....	Rule	37
Third reading; question .....	Rule	38
Minimum special quorum .....	Rule	39
Proposal amended on 3rd reading to be reengrossed .....	Rule	40
Rereference in order; withdrawing from committee .....	Rule	41
Messaging to the assembly; proposals held during reconsideration period .....	Rule	42
Enrolling bills and joint resolutions .....	Rule	43
Signing of documents .....	Rule	44
Offering of privileged resolution .....	Rule	45
Presentation of proposals and other matters .....	Rule	46

**Chapter 5: Amendments — Form and Procedure**

When amendments may be considered .....	Rule	47
Reading of amendments .....	Rule	48
Offering amendments .....	Rule	49

Substitute amendments and amendments must be germane .....	Rule	50
Amendment in the 3rd degree prohibited .....	Rule	51
Motions to be germane .....	Rule	52
Committee amendments; speaking on amendment .....	Rule	53
Order of action .....	Rule	55

### Chapter 6: General Procedure — Order in Debate

Recognition; debate .....	Rule	56
Presiding officer to name first speaker .....	Rule	57
Member out of order .....	Rule	58
How members may speak .....	Rule	59
Personal privilege .....	Rule	60
Special privilege .....	Rule	61
Stating motions .....	Rule	62
Motions in order during debate .....	Rule	63
Motion to adjourn always in order .....	Rule	64
Laying on table .....	Rule	65
Motion to postpone .....	Rule	66
Motion to reconsider .....	Rule	67
Questions to be decided without debate .....	Rule	68
Privileged motion or resolution .....	Rule	69
Division of question .....	Rule	70
Putting question .....	Rule	71
Ayes and noes .....	Rule	72
Every member to vote .....	Rule	73
Explanation of vote not allowed .....	Rule	74
Recording position of absent member .....	Rule	75

### Chapter 7: Limiting Debate

Scheduling time limits for debate .....	Rule	76
Current or previous question; time limit on debate .....	Rule	77
Putting of motion; ending debate .....	Rule	78
Main question may remain before the senate .....	Rule	79
But one call of the senate in order .....	Rule	80

### Chapter 8: Call of the Senate

Call of the senate .....	Rule	81
Putting question .....	Rule	82
Doors to be closed .....	Rule	83
Sergeant to bring in absentees .....	Rule	84
Transacting business while under call .....	Rule	85
Sergeant at arms may report .....	Rule	86
Call raised when absentees present and business disposed of .....	Rule	87

**Chapter 9: Employees**

Employment and supervision of senate employees ..... Rule 88  
Certification of payroll ..... Rule 89

**Chapter 10: Rules**

Creating, amending, or repealing rules ..... Rule 90  
Suspending rules ..... Rule 91  
Continuity of senate rules ..... Rule 92  
Special, extended, or extraordinary sessions ..... Rule 93  
Publishing of senate rules ..... Rule 94

**Chapter 11: Miscellaneous**

Copies for senate ..... Rule 95  
Fiscal estimates ..... Rule 96  
Space assignments ..... Rule 97  
Citations on behalf of the senate ..... Rule 98  
Definitions ..... Rule 99

# SENATE RULES

As last affected by 2003 Senate Resolution 3  
(Adopted February 20, 2003)

## Chapter 1: OFFICERS - ELECTION AND DUTIES

**SENATE RULE 1. President; president pro tempore.** (1) The senate shall elect, by roll call vote, one of its members to serve as president and one to serve as president pro tempore. The president and president pro tempore shall serve for the biennial session unless separated by death, resignation, or removal by the adoption of a resolution by a majority of the current membership.

(2) The president is the senate's presiding officer and shall authenticate by personal signature all of the acts, orders, and proceedings of the senate.

[rn. from S.Rule 2; (title), (1), (2) am. 1979 S.Res. 3]  
[(1) am. 1981 S.Res. 27]  
[(title) and (1) am. 1985 S.Res. 2]  
[(2) am. 2001 S.Res. 2]  
[(1) am. 2003 S.Res. 3]

**SENATE RULE 1m. Presiding officer; officers subordinate to committee on senate organization.** (1) The presiding officer shall, in general, represent and stand for the senate, declaring its will, and in all things obeying its commands.

(2) Every officer of the senate is subordinate to the committee on senate organization and, in all that relates to the discharge of that officer's duties, is under the supervision of the committee on senate organization.

[rn. from S.Rule 1 (3); (title) cr., (2) am. 2001 S.Res. 2]  
[(2) am. 2003 S.Res. 3]

**SENATE RULE 2. Substitute president.** (1) When the president is absent or unable to preside over the senate sitting in session, the president pro tempore may preside and assume all of the duties enumerated under rule 4. The substitution does not extend beyond adjournment and ends upon the president's return or the election of a new president.

(2) When the president and president pro tempore are absent or unable to preside, the senate shall elect, by roll call vote, one of its members to temporarily perform all of the duties enumerated under rule 4 until the president or president pro tempore returns and is able to preside.

(3) The presiding officer may call any member to the chair, but the substitution does not extend beyond an adjournment or the return of the president.

[cr. 1979 S.Res. 3]  
[(1), (2) am. 1993 S.Res. 3]  
[(2) and (3) am. 2001 S.Res. 2]  
[am. 2003 S.Res. 3]

**SENATE RULE 3. Duties of president pro tempore and majority leader.** When the president is separated by death, resignation, or removal from office, or is otherwise unable to serve, all of the powers and duties of the president not enumerated in rule 4 devolve upon the president pro tempore until a president is elected. When both the president and president pro tempore are separated by death, resignation, or removal from office, or are otherwise unable to serve, all of the powers and duties of the president not enumerated under rule 4 devolve upon the majority leader until a president is elected.

[r.cr. 1979 S.Res. 3]  
[am. 1993 S.Res. 3]  
[am. 2001 S.Res. 2]

**SENATE RULE 3m. Voting by presiding officer.** A senator may not be excused from voting on a question by reason of occupying the chair.

[cr. 1979 S.Res. 3]  
[am. 2001 S.Res. 2]

**SENATE RULE 4. Duties of president and presiding officer.** (1) The presiding officer shall:

- (a) Open the daily session, at the time to which adjournment is taken, by taking the chair and calling the members to order.
- (b) Announce the business before the senate in the order in which it is to be acted upon.
- (c) Receive and submit, in the proper manner, all motions and propositions presented by the members.
- (d) Put to vote all questions that are regularly moved, or that necessarily arise in the course of proceedings, and announce the result.
- (e) Restrain the members while engaged in debate, within the rules of order.
- (f) Enforce on all occasions the observance of order and decorum among the members.
- (g) Inform the senate when necessary, or when referred to for that purpose, on any point of order or procedure.
- (h) Receive messages and other communications from other branches of the government, and announce them to the senate.

(2) The president shall refer every notice and report concerning a proposed administrative rule received by the presiding officer under section 227.19 of the statutes to the appropriate standing committee of the senate within 7 working days following receipt, and provide notice to that committee whenever the president is informed that a proposed rule is being withdrawn. The president shall refer any report received from a standing committee that objects to a proposed rule to the joint committee for review of administrative rules.

[(10) cr. 1981 S.Res. 2]  
[(4) and (10) am. 2001 S.Res. 2]  
[am. 2003 S.Res. 3]

**SENATE RULE 5. Election and duties of chief clerk.** (1) At the commencement of each biennial session, the senate shall elect, by roll call vote, a chief clerk of the senate. The

chief clerk shall hold office for the full 2-year term of the legislature and until a successor is elected and qualified on the day of convening of the next legislature as established under section 13.02 (1) of the statutes unless separated by death, resignation, or removal by the vote of a majority of the actual present membership of the senate.

(2) The chief clerk shall:

(a) Superintend the recording of the journals of the proceedings.

(b) Supervise the engrossing and enrolling of senate proposals by the legislative reference bureau.

(c) Prepare and transmit for reproduction its daily journal after the adjournment of each daily session, and, if so directed by the president or chairperson of the committee on senate organization, on any day on which the senate does not meet.

(d) Ensure that records or papers belonging to the legislature are not removed from the custody of the chief clerk's office except as required in the regular course of business.

(3) The chief clerk is responsible for all official acts of the employees assigned to that office, and may designate one of those employees as assistant chief clerk, who has general supervision under the direction of the chief clerk and in the temporary absence of the chief clerk has all of the powers and duties 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 the chief clerk until a chief clerk is elected.

(4) On the day of convening of the next legislature as established under section 13.02 (1) of the statutes, when the president, president pro tempore, majority leader, and assistant majority leader are absent or unable to preside over the senate sitting in session and the senate does not elect a substitute president under rule 2 (2), the chief clerk shall perform all of the duties enumerated under rule 4.

[am.; (4) cr. 1983 S.Res. 4]

[(2)(c) am. 1995 S.Res. 2]

[(2)(b), (c), (d) and (4) am. 2001 S.Res. 2]

[(1), (2)(c), (3), (4) am. 2003 S.Res. 3]

**SENATE RULE 6. Election and duties of sergeant at arms.** (1) At the commencement of each biennial session, the senate shall elect, by roll call vote, a sergeant at arms of the senate. The sergeant at arms shall hold office for the full 2-year term of the legislature and until a successor is elected and qualified on the day of convening of the next legislature as established under section 13.02 (1) of the statutes unless separated by death, resignation, or removal by the vote of a majority of the actual present membership of the senate.

(2) The sergeant at arms shall:

(a) Carry out all orders of the senate or its presiding officer.

(b) Perform all the duties that may be assigned to the sergeant connected with the maintenance of decorum and good order in the chamber.

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

(d) Enforce the provisions of rule 11 relating to lobbyists and lobbying.

- (e) Provide for the prompt delivery of messages from or within the senate.
- (f) Ensure that the chamber is properly ventilated and is open for the use of the members as directed by the presiding officer or from one hour preceding each daily session until one hour after that day's adjournment.
- (g) Perform all other services pertaining to the office of sergeant at arms.

[(1) am. 1983 S.Res. 4]  
 [(1), (2)(b) am. 2003 S.Res. 3]

## Chapter 2: ORDER AND DECORUM

**SENATE RULE 7. Presiding officer to preserve order; appeal.** (1) The presiding officer shall preserve order and decorum; may speak to points of order in preference to others, rising for that purpose; and shall decide questions of order, subject to an appeal by a member, on which appeal each member may speak once not to exceed 5 minutes.

(2) Whenever a point of order is raised, the presiding officer may rule thereon forthwith, or may defer the decision not later than the 5th order of business on the 2nd legislative day thereafter to provide time for examination of the precedents. Questions not ruled on within the required time shall be decided by a majority of the senate.

(3) Whenever the presiding officer takes a point of order under advisement in order to consult sources of parliamentary law and procedure, the presiding officer shall submit the decision in writing, stating the source consulted and the reasons for the decision. The text of the presiding officer's decision shall be recorded in the journal.

(4) On appeal being taken, the question is "Shall the decision of the presiding officer stand as the judgment of the senate?", which question, and the action thereon, shall be entered on the journal. The vote is taken by ayes and noes. A tie vote sustains the ruling of the presiding officer.

(5) All points of order raised and the decisions thereon shall be entered in the journal.

[(4) am. 1995 S.Res. 2]  
 [am. 2001 S.Res. 2]  
 [(2), (3), (4) am. 2003 S.Res. 3]

**SENATE RULE 8. Conduct while sitting in session.** (1) Members, officers, and employees shall wear appropriate attire while the senate is sitting in session. Appropriate attire for men includes the wearing of a coat.

(2) While the presiding officer is addressing the senate, or submitting a question, a member may not cross the floor or leave the senate. While a member is speaking, a member may not walk between the speaking member and the presiding officer.

(3) A member or other person may not visit or remain by the clerk's table while the ayes and noes are being called. A member may not leave his or her seat or be disturbed by any other person while the ayes and noes are being called.

(4) A member or other person may not, within the bar of the senate, read newspapers or consume food, beverages, or tobacco products.



(5) A member or other person may not smoke within the chamber.

[(2) and (3) am.; (4) r.cr.; (5) cr. 1985 S.Res. 2]

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

[am. 2001 S.Res. 2]

[(1), (5) am. 2003 S.Res. 3]

**SENATE RULE 11. Who may be admitted to the floor.** (1) Persons of the following classes, and no others, shall be admitted to that portion of the floor of the senate where the members sit in session: the governor, the lieutenant governor, members of the legislature, members of the staff of the sergeant at arms, and designated members of the chief clerk's staff.

(2) Persons of the following classes, and no others, shall be admitted to that portion of the floor of the senate designated as the staff lobby while the senate is sitting in session: state officers, employees of either house of the legislature, of legislative committees, and of legislative service agencies while engaged in the performance of their duties, members of congress, justices of the supreme court, and former members of the legislature.

(3) However, none of those persons in subs. (1) and (2) who are registered as lobbyists or engaged in defeating or promoting any pending legislation have the privilege of the floor of the senate.

(4) A former senator or other person who is directly or indirectly interested in defeating or promoting any pending legislation, whether registered as a lobbyist or not, does not have the privilege of the floor of the senate at any time.

(5) All accredited correspondents of the news media, who confine themselves to their professional duties, have the privilege of the floor of the senate, except that while the senate is sitting in session the privilege extends only to the press lobby.

(6) Persons who are not specified in subs. (1) to (5) may be invited on the floor of the senate by the committee on senate organization.

[(6) am. 1987 S.Res. 2, 1993 S.Res. 3]

[(2) to (6) am. 2001 S.Res. 2]

[(2), (3), (5) am. 2003 S.Res. 3]

**SENATE RULE 12. Privileges of senate to contestants for seats.** Contestants for seats have the privilege of the senate until their respective cases are disposed of. The privilege extends only so far as access to the chamber, during the time occupied in settling the contest.

[am. 2001 S.Res. 2]

[am. 2003 S.Res. 3]

**SENATE RULE 13. Disturbance in lobby.** Whenever any disturbance or disorderly conduct occurs on the senate floor or in the lobby or gallery, the presiding officer may order the same cleared of all persons except members and officers.

[am. 2001 S.Res. 2]

[am. 2003 S.Res. 3]

### Chapter 3: ORDER OF BUSINESS

**SENATE RULE 14. Hour for meeting.** The senate shall meet at 10 a.m. on Tuesday and Thursday unless a different day or hour is prescribed by a resolution or motion adopted by majority vote.

[am. 2001 S.Res. 2]

**SENATE RULE 15. Roll call, quorum.** Before proceeding to business, the roll of the members shall be called, and the names of those present and those absent shall be entered on the journal. A majority of the membership presently serving must be present to constitute a quorum for the transaction of business; a smaller number, however, can adjourn and may compel the attendance of absent members. When a roll call discloses the lack of a quorum, further business may not be conducted until a quorum is obtained, but the members present may take measures to procure a quorum or may adjourn.

[am. 2001 S.Res. 2]

**SENATE RULE 16. Leave of absence.** Members of the senate may not be absent from the daily session during the entire day without first obtaining a leave of absence. The leave may be granted at any time by a majority vote of the senate.

[am. 2001 S.Res. 2]

[am. 2003 S.Res. 3]

**SENATE RULE 17. Order of business.** (1) Following any opening prayer and the pledge of allegiance, the order of business in the senate is as follows:

- (a) *First order.* Call of roll.
- (b) *Second order.* Chief clerk's entries.
- (c) *Third order.* Introduction, first reading, and reference of proposals.
- (d) *Fourth order.* Reports of committees.
- (e) *Fifth order.* Petitions and communications.
- (f) *Sixth order.* Advice and consent of the senate.
- (g) *Seventh order.* Referrals and receipt of committee reports concerning proposed administrative rules.
- (h) *Eighth order.* Messages from the assembly.
- (i) *Ninth order.* Special orders.
- (j) *Tenth order.* Consideration of motions and resolutions.
- (k) *Eleventh order.* Second reading and amendment of senate joint resolutions and senate bills.
- (L) *Twelfth order.* Second reading and amendment of assembly joint resolutions and assembly bills.
- (m) *Thirteenth order.* Third reading of joint resolutions and bills.

(n) *Fourteenth order.* Motions may be offered.

(o) *Fifteenth order.* Announcements, adjournment honors, and remarks under special privilege.

(p) *Sixteenth order.* Adjournment.

(2) A proposal or other matter may be made a special order for a specified date and time by the committee on senate organization or by two-thirds of the members present. Once established, a special order can be postponed to a future date or time only by the committee on senate organization or by two-thirds of the members present. When the time for the special order has arrived and the special order is announced by the presiding officer, or attention thereto is called by any member, the special order has precedence over the regular orders of business. Whenever the rules are suspended to advance such proposal or other matter to a subsequent stage, its precedence as a special order continues. Whenever any such special order is under consideration, it shall not be interrupted by the arrival of the time for the consideration of another special order.

(3) Special orders, once established, continue to be special orders, and when laid over under the rules are special orders on their proper calendar, unless otherwise ordered by the senate. Subsequent special orders shall be considered in their chronological order and their priority over regular orders on the calendars remains.

(4) With the prior consent of the majority leader and the minority leader and upon the motion by one of them under any order of business at any time, any member may be granted the floor for the purpose of introducing former members, state officers, and other persons of unusual achievement as guests of the senate. The member making the introduction shall submit in writing to the chief clerk the names of the guests so introduced.

[(1) r.cr. 1981 S.Res. 2]  
 [(1)(o) am., (1)(p) cr. 1987 S.Res. 2]  
 [(1)(o) am. 1989 S.Res. 3]  
 [(2) am. 1987 S.Res. 3, 1993 S.Res. 3]  
 [(1)(o) am. 1995 S.Res. 2]  
 [(1)(f), (2) and (3) am. 2001 S.Res. 2]  
 [(1)(intro.), (b), (c) am. 2003 S.Res. 3]

**SENATE RULE 18. Daily calendar.** (1) All proposals, appointments, or other business, referred to a committee and reported by it to the senate or withdrawn from it by the senate, all proposals or amendments received from the assembly for senate concurrence, and all reports from conference committees and veto messages received by the senate, shall be placed in the committee on senate organization. Any such business deposited with the chief clerk on a day when the senate does not meet may be placed in the committee on senate organization immediately, but shall be formally received by the senate on its next meeting day. The committee on senate organization shall establish a calendar, grouping together proposals, appointments, or other business according to similar subjects and in an appropriate order, and in such numbers as to constitute a workable and up-to-date calendar schedule. The committee on senate organization shall place a proposal, appointment, or other business on the calendar when directed to do so by a majority vote of the senate.

(2) The sergeant at arms shall distribute a copy of the calendar to all members before the calendar is acted upon. The chairperson of the committee on senate organization shall

provide at least 18 hours' notice of other matters to be taken up on the next session day, but the distributed calendar may not be changed within such 18-hour period.

(3) Except as provided in sub. (2), the distributed calendar shall show the business scheduled to be taken up on the current day, organized according to the orders of business established by rule 17 (1). For proposals on 2nd reading, the calendar shall show all pending committee reports.

(4) Unless otherwise ordered, after completion of the 9th order of business of the current calendar day, and before consideration of the 10th and succeeding orders, unfinished calendars shall be taken up and completed.

(5) Every proposal ordered engrossed and read a 3rd time, unless otherwise ordered by the senate, shall be taken up under the 13th order of business on the senate's next business day.

[(1) and (2) am. 1987 S.Res. 2, 1993 S.Res. 3]

[(2) and (3) am. 1995 S.Res. 2]

[(1), (2), (4) and (5) am. 2001 S.Res. 2]

[(1) am. 2003 S.Res. 3]

**SENATE RULE 19. Committee of the whole.** During the consideration of any proposal or other matter, the senate may, on motion, which motion is debatable, resolve itself into a committee of the whole for the consideration of the proposal or other matter. The rules of the senate govern, as far as practicable, the proceedings in committee of the whole, except that a member may speak more than twice on the same subject; that a call for the ayes and noes or for the previous question cannot be made in the committee; the committee may not recess; and may not postpone to a future time a subject before it for consideration. The committee shall elect one of its members as chairperson of the committee of the whole.

[am. 2001 S.Res. 2]

**SENATE RULE 20. Standing committees of senate.** (1) (a) Except as provided in par. (b), the members of the committee on senate organization are:

1. The majority leader as chairperson.
2. The president.
3. The assistant majority leader.
4. The minority leader.
5. The assistant minority leader.

(b) If the 2 major political parties are represented in the senate by equal membership, the members of the committee on senate organization are:

1. The president.
2. The former majority and minority leaders and former majority and minority assistant leaders.
3. The former minority caucus chairperson.

(c) The other standing committees of the senate shall be created by the committee on senate organization as near to the commencement of the biennial session as possible.

(2) (a) The chairperson of the committee on senate organization, as near to the commencement of the biennial session as possible, shall make and report to the senate all committee appointments of members of the majority and minority parties. The chairperson of the committee on senate organization shall designate a chairperson for each senate committee and joint committee.

(b) With regard to members of any minority party, the appointments shall be based on nominations by the leader of that party.

(c) The majority and minority parties of the senate shall be represented on all senate standing committees and on all joint standing committees on the basis prescribed by the chairperson of the committee on senate organization, but at least in proportion to the representation of the 2 major political parties in the membership of the senate unless, for the senate membership of a joint committee, such proportional representation places the senate majority party in a minority position on the joint committee.

(3) (a) The members of the senate committee for review of administrative rules are the senate members of the statutory joint committee for review of administrative rules.

(b) When the joint committee for review of administrative rules fails to report a proposal referred to it by the senate, the proposal may be referred to the senate by the senate committee for review of administrative rules.

(4) (a) The members of the senate committee on finance are the senate members of the joint committee on finance.

(b) When the joint committee on finance fails to report a proposal referred to it by the senate, the proposal may be returned to the senate by the senate committee on finance.

(5) Each member shall serve on at least one senate or joint standing committee or joint survey committee.

(6) If senate seats are vacant, assignments to standing committees may be reserved for the senators who are to fill the vacancies, or current members may be designated to fill the vacant assignments temporarily in addition to their regular standing committee assignments until the new senators have been elected and qualified.

(7) Whenever a member of the committee on senate organization is disabled and unable to serve, the senate may select a temporary replacement from among those senators of the same party affiliation. The replacement terminates upon the return of the disabled member.

[(1)(a) am., (1)(c) cr. 1993 S.Res. 2]

[(1)(a), (c) and (d) am., (1)(b) cr., (1)(e) r.cr. 1993 S.Res. 3]

[(2) am. 1979 S.Res. 3, 4; 1981 S.Res. 2, 19, 27;

1983 S.Res. 4, 9, 11, 13; 1985 S.Res. 2, 6; 1987

S.Res. 2, 6; 1989, 1991, 1993 S.Res. 2; 1993 S.Res. 3]

[(3)(a) and (4)(a) am. 1993 S.Res. 3]

[(7) cr. 1979 S.Res. 4; am. 1987 S.Res. 2, 1993 S.Res. 3]

[(1) and (2) rc. 1995 S.Res. 2]

[(1)(b)1., (3) to (7) am. 2001 S.Res. 2]

[(1)(c), (2)(a) am. 2003 S.Res. 3]

**SENATE RULE 20m. Committees of conference.** The president shall appoint the senate members of committees of conference.

[cr. 2001 S.Res. 2]

[am. 2003 S.Res. 3]

**SENATE RULE 21. Special committees.** All special committees shall be created by the committee on senate organization, designating the number and object, and be appointed by the chairperson of the committee on senate organization. The member first named is the chairperson of the special committee.

[am. 1995 S.Res. 2]  
[am. 2001 S.Res. 2]  
[am. 2003 S.Res. 3]

**SENATE RULE 22. Advice and consent of the senate.** (1) Whenever the governor or the state superintendent of public instruction submits to the senate a nomination for an appointment as required by law, the president shall refer the nomination to the standing committee that the president 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 senate in writing. Nominations by the governor and the state superintendent of public instruction may be considered, and the persons so nominated may with the advice and consent of the senate be appointed, in special as well as in regular sessions.

(2) On the question of the confirmation of appointments by the governor or the state superintendent of public instruction, the vote shall be taken by ayes and noes, which shall be entered upon the journal. The question of confirmation of the appointments is not subject to a motion for reconsideration under rule 67. The senate may, but is not required to, act upon an appointment resubmitted by the governor or the state superintendent of public instruction when the identical appointment has once been refused confirmation by the senate. The chief clerk shall record the cumulative status of all appointments in the bulletin of proceedings. The senate shall inform the governor and the assembly of the senate's final action on confirmation of a nomination for appointment that requires assembly confirmation.

[(2) am. 1995 S.Res. 2]  
[am. 2001 S.Res. 2]  
[(2) am. 2003 S.Res. 3]

**SENATE RULE 23. Committee not to be absent.** Members of a committee, except a conference committee, may not be absent by reason of their appointment during the sitting of the senate, without special leave.

[am. 2001 S.Res. 2]

**SENATE RULE 24. Committee quorum; subcommittees.** A majority of any committee constitutes a quorum for the transaction of business. Solely for the purpose of determining a quorum of a committee necessary to hold a public hearing, a member who is connected to the hearing by means of a 2-way, audiovisual transmission is considered present. Subcommittees may be appointed to take charge of any part of the committee's business and to report to the committee. Motions to reconsider may be made in committee, before the papers are reported to the senate. Rereference gives the committee full power to act without reconsidering its former action.

[am. 1997 S.Res.2]  
[am. 2001 S.Res. 2]

**SENATE RULE 25. Business in committees; notice of meeting.** (1) A chairperson who determines to hold a hearing shall schedule the hearing as early in the session as practicable. The day, hour, and place of hearing before any committee shall be posted on the bulletin board of each house, and such notice shall state the number, author, and

relating clause of the proposal to be considered. Whenever a scheduled hearing is canceled, the chairperson shall immediately notify the chief clerk and post cancellation notices on the bulletin boards of each house.

(2) Whenever a proposal or other matter has been referred to committee, the proposal or other matter is within the sole jurisdiction of the majority of the committee. A directive with respect to the committee's action thereon, other than a motion to withdraw from the committee, is not in order.

[(1) am. 1995 S.Res. 2]  
[am. 2001 S.Res. 2]

**SENATE RULE 26. Schedule of committee activities.** (1) On or before Monday noon of each week the chairperson of each senate committee shall file with the chief clerk a list of the public hearings before that committee which will be held during the following week. The list shall be reproduced in full in the weekly schedule of committee activities. The chairperson of any senate committee may file notice of hearing on or before Monday noon of the 2nd week before the week in which the public hearing is scheduled so as to post advance notice of the hearing.

(2) Notwithstanding sub. (1), the cochairpersons of the joint committee on finance may announce that the committee will hold a public hearing on appropriate portions of the executive budget bill during the week following the governor's budget message.

[(1) am. 1995 S.Res. 2]  
[(1) am. 2001 S.Res. 2]

**SENATE RULE 27. Committee reports.** (1) The chairperson of the committee to which any proposal is referred shall report in concise form the action of the committee and the date thereof, and shall authenticate the same by personal signature, for example:

The committee on ..... reports and recommends:

Senate Bill 24

AN ACT (relating clause)

Passage: Ayes (3), Senators ..... , ..... , ..... ; Noes (1), Senator ..... ; Absent or not voting (1), Senator .....

Senate Bill 26

AN ACT (relating clause)

Adoption of Senate Amendment 1: Ayes (5), Senators ..... , ..... , ..... , ..... , ..... ; Noes (0); Absent or not voting (0).

Passage as amended: Ayes (4), Senators ..... , ..... , ..... , ..... ; Noes (1), Senator ..... ; Absent or not voting (0).

Senate Bill 28

AN ACT (relating clause)

Adoption of Senate Substitute Amendment 1: Ayes (3), Senators ..... , ..... , ..... ; Noes (2), Senators ..... , ..... ; Absent or not voting (0).

Passage as amended: Ayes (2), Senators ..... ; Noes (2), Senators ..... , ..... ; Absent or not voting (1), Senator ..... . Reported without recommendation.

Senate Bill 30

AN ACT (relating clause)

Indefinite postponement: Ayes (5), Senators ..... , ..... , ..... , ..... ; Noes (0); Absent or not voting (0).

Senate Bill ..... (LRB- ..... / .....)

AN ACT (relating clause)

Introduction: Ayes (4), Senators ..... , ..... , ..... ; Noes (1), Senator ..... ; Absent or not voting (0).

Assembly Bill 32

AN ACT (relating clause)

Concurrence: Ayes (4), Senators ..... , ..... , ..... ; Noes (0); Absent or not voting (1), Senator .....

Assembly Bill 34

AN ACT (relating clause)

Nonconcurrence: Ayes (3), Senators ..... , ..... ; Noes (0); Absent or not voting (2), Senators ..... and .....

Senate Resolution 10

A resolution relating to, etc.

Adoption: Ayes (3), Senators ..... , ..... ; Noes (1), Senator ..... ; Absent or not voting (1), Senator .....

Senate Joint Resolution 50

A joint resolution relating to, etc.

Indefinite postponement: Ayes (5), Senators ..... , ..... , ..... ; Noes (0); Absent or not voting (0).

..... Chairperson

(2) Each committee to which a proposed administrative rule is referred under rule 4 (10) 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. Whenever a committee schedules a public hearing or a 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:

(a) For standing committees:



The committee on ..... reports [and recommends]:

Clearinghouse Order 81-1 A PROPOSED ORDER of the .... (name of agency) relating to rules concerning ....

PUBLIC HEARING SCHEDULED

(list date, time and place of public hearing)

Clearinghouse Order 81-2 A PROPOSED ORDER of the .... (name of agency) relating to rules concerning ....

MEETING WITH AGENCY REPRESENTATIVE SCHEDULED

(list date, time and place of meeting)

Clearinghouse Order 81-3 A PROPOSED ORDER of the .... (name of agency) relating to rules concerning ....

MODIFICATIONS TO BE MADE BY AGENCY

Clearinghouse Order 81-4 A PROPOSED ORDER of the .... (name of agency) relating to rules concerning ....

MODIFICATIONS RECEIVED FROM AGENCY

Clearinghouse Order 81-5 A PROPOSED ORDER of the .... (name of agency) relating to rules concerning ....

NO ACTION TAKEN

Clearinghouse Order 81-6 A PROPOSED ORDER of the .... (name of agency) relating to rules concerning ....

OBJECTION: AYES 5, NOES 1, ABSENT 0

Ayes: (5) Senators ....., ....., ....., ....., .....

Noes: (1) Senator .....

Absent: (0) None

Clearinghouse Order 81-7 A PROPOSED ORDER of the .... (name of agency) relating to rules concerning ....

NO OBJECTION: AYES 5, NOES 1, ABSENT 0

Ayes: (5) Senators ....., ....., ....., ....., .....

Noes: (1) Senator .....

Absent: (0) None

.....

Chairperson

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

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

Clearinghouse Order 81-8 A PROPOSED ORDER of the .... (name of agency) relating to rules concerning ....

OBJECTION: AYES 9, NOES 1, ABSENT 0

Ayes: (9) Senators ....., ....., ....., ....., .....

Representatives ....., ....., ....., .....

Noes: (1) Representative .....

Absent: (0) None

Clearinghouse Order 81-9 A PROPOSED ORDER of the .... (name of agency) relating to rules concerning ....

NONCONCURRENCE IN OBJECTION: AYES 9, NOES 1, ABSENT 0

Ayes: (9) Senators ....., ....., ....., ....., .....

Representatives ....., ....., ....., .....

Noes: (1) Representative .....

Absent: (0) None

.....  
.....

**Cochairpersons**

(3) Any amendment or substitute amendment, recommended by the committee for rejection, may not be reported to the senate. Any such amendment may, upon motion, be revived by the vote of the majority of the current membership while the proposal is still in the amendable stage.

(4) (a) A committee may report out a proposal or appointment without recommendation only if the vote is tied. The committee report shall indicate the numerical vote on the motion on which the recommendation is based.

(b) Notwithstanding par. (a), the chief clerk shall record in the journal that a proposed is reported without recommendation whenever the proposal is withdrawn from committee under rule 18 or 41 (1) (d).

(5) Whenever a proposal is reported by or withdrawn from committee, all amendments or substitute amendments to the proposal shall remain in the jacket envelope regardless of the committee's action thereon.

[(2), (4)(b) and (6) cr., (3), (4)(a) and (5) rn. 1981 S.Res. 2]  
[(2), (4) and (5) am. 2001 S.Res. 2]  
[(1), (3), (4) am. 2003 S.Res. 3]

**SENATE RULE 28. Minority reports.** Any member or members dissenting from a report of a committee may make a separate report stating the reasons and conclusions; and all reports, if decorous in language and respectful to the senate, shall be entered at length on the journal. Any minority report must be filed on the same or the next legislative day as the majority report or recommendation.

[am. 2001 S.Res. 2]

#### Chapter 4: PROPOSALS — PROCEDURE

**SENATE RULE 29. Copies of proposals.** The primary author of a proposal to be introduced or offered shall present copies of it to the chief clerk, enclosed in a jacket envelope as provided in rule 30.

[am. 1991 S.Res. 2]

[am. 1995 S.Res. 2]

[am. 2001 S.Res. 2]

[am. 2003 S.Res. 3]

**SENATE RULE 30. Filing of proposals.** (1) The legislative reference bureau shall provide jacket envelopes of a suitable size to hold a proposal and the papers pertaining thereto, respectively, without folding or rolling. The clerk may not file any paper for any purpose, the cover of which has been either folded or rolled. The jacket envelopes must be distinguishable from those of the assembly by color.

(2) The legislative reference bureau shall enter the relating clause and drafting number of the proposal on the envelope, and the clerk shall enter the proposal number, the date on which it is introduced or offered, the name of the member or committee introducing or offering it, and the name of the committee of reference in the history file for the proposal. Only those documents specified by the chief clerk may be placed in the envelope.

(3) The chief clerk shall also enter in the history file for the proposal:

(a) The date of each public hearing on the proposal.

(b) All motions and the disposition thereof.

(c) The date, and the resolution number, if any, of a request for an opinion of the attorney general on the proposal and the date on which the opinion was returned.

(d) The reproduction of a proposal with all adopted amendments engrossed therein.

(e) Any clerical correction of the proposal made as authorized by rule 31.

[(1) am. 1991 S.Res. 2]

[(1), (2), (3) (intro.) and (d) am. 1995 S.Res. 2]

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

[(1), (3)(a) am. 2003 S.Res. 3]

**SENATE RULE 31. Clerical corrections to proposals.** (1) The chief clerk shall correct minor clerical errors in any proposal, such as errors in orthography or grammar, or the use of one word for another, such as "affect" for "effect," wrong numbering or references, whether the errors occur in the original proposal or in any amendment thereto.

(2) The chief clerk shall insert the enacting or usual enabling clause in any proposal before its passage or adoption if the same has been omitted. When necessary, the chief

clerk shall correct the title of any bill so that the title shows the sections affected, the subject to which the bill relates, and the making of an appropriation, if such is made by the bill.

(3) The chief clerk shall enter any corrections made by the clerk under this rule in the journal.

(4) The current edition of Webster's New International Dictionary is the standard.

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

[(1), (2) and (4) am. 2001 S.Res. 2]

[(1), (2) am. 2003 S.Res. 3]

**SENATE RULE 32. Reference to proposals and other matters.** (1) When first considered and thereafter each time that a proposal is considered after business relating to another subject has intervened, it shall be identified in the journal by number and relating clause. Thereafter all reference to the proposal or petition either in the journal or in messages must be by number only, except in the journal where the ayes and noes are entered. The chief clerk shall read the relating clauses except when the senate directs otherwise, except that in messages of approval of bills by the governor the chief clerk shall read the bill number only unless a member requests the relating clause to be read.

(2) No later than one-half hour following the adjournment of each legislative day, members may submit to the chief clerk in writing a listing of visitors from their districts who witnessed a part of the day's meeting. The list, together with the record of the guests introduced on that legislative day under rule 17 (4), shall be entered at the end of the day's journal.

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

[am. 2001 S.Res. 2]

[am. 2003 S.Res. 3]

**SENATE RULE 33. Introduction or offering of new proposals; admissibility of identical proposals; admissibility of resolutions in special session.** (1) A member may introduce or offer new proposals in accordance with rule 46 (1). Before a member introduces or offers a new proposal to the senate, the legislative reference bureau shall prepare the proposal in the proper form, and with the requisite number of copies for introduction or offering. A proposal may not be received if it contains handwritten changes in the copies prepared by the legislative reference bureau.

(2) A proposal identical with one already rejected may not be introduced or offered. However, an assembly bill or joint resolution that is identical to a senate bill or joint resolution previously rejected by the senate or any bill repealing a former act of the same biennial session may be introduced or offered.

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

[am. 2001 S.Res. 2]

[am. 2003 S.Res. 3]

**SENATE RULE 34. Proposals to be on file one day before action.** (1) All bills and joint resolutions, and all resolutions except those privileged for immediate consideration under rule 69, after being distributed, must lay over one day before being considered.

(2) The requirement for a one-day layover does not apply to amendments, but copies of the full text of each amendment shall be distributed to the members before adoption of the amendment.

(3) Reading at length is required for resolutions privileged under rule 69 and for any governor's veto message unless copies of the full text of the documents have been distributed to the members.

(4) A proposed citation under joint rule 7 shall, when received by the senate and whether originating in this house or in the assembly, be laid aside to allow time to examine the proposed citation for its compliance with joint rule 7 (1), (1m), and (2). Upon approval by the president and the chief clerk, the citations are considered approved by the senate and shall be so recorded in the journal. If the president or chief clerk refuses to approve a proposed citation, the committee on senate organization may require the president and chief clerk to approve it. A written committee report is not necessary.

[(1), (2) and (3) am. 1995 S.Res. 2]

[(2) to (4) am. 2001 S.Res. 2]

[(1), (4) am. 2003 S.Res. 3]

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

[am. 1995 S.Res. 2]

[am. 2003 S.Res. 3]

**SENATE RULE 36. First reading; reference to committee.** (1) On the first reading, every bill requiring 3 readings under rule 35 and all resolutions not privileged by rule 69 shall be referred to the appropriate committee. The president shall determine the appropriate committee under rule 46 and the chief clerk shall announce referral under the proper order of business. This rule applies to proposals originating in either house.

(1m) (a) On any legislative day when a report, showing the number and relating clause of proposals introduced or offered together with the president's referral, has been provided to the members before the 2nd order of business, the 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. Rereferral under this rule may be made at any time, but may not be used to satisfy section 13.093 (1) of the statutes.

(b) Whenever a senate proposal is introduced or offered and referred or an assembly proposal is received and referred on a day on which the senate does not meet, the chief clerk's act of recording the proposal in the journal under rule 46 (1) (b) constitutes the proposal's first reading.

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

(b) Only one such reference is required under this rule and the adoption of an amendment does not require rereferral, but rereferral may be ordered by the senate at any time before passage or concurrence.

(c) Notwithstanding par. (a), the president may refer a 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 that 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.

(2m) Bills referred to a statutory joint survey committee shall, upon report by that committee, be referred by the president to the appropriate standing committee of the senate.

(3) Whenever a proposal or other matter is referred to a special committee and the special committee makes its report thereon, the referral and report have the same effect as a reference to and a report by a standing committee.

[(2) (c) cr. 1981 S.Res. 22]

[(1m) and (2m) cr., am. 2001 S.Res. 2]

[(1), (1m), (2)(a) am. 2003 S.Res. 3]

**SENATE RULE 37. Second reading; ordering to a 3rd reading.** (1) Before a bill, or a joint resolution proposing an amendment to the constitution, is amended or ordered to a 3rd reading it shall be read a 2nd time.

(2) All amendments to a proposal shall be retained in the original jacket for the proposal.

(3) Amendments to a substitute amendment already adopted are in order before the bill or resolution is ordered engrossed and read a 3rd time without reconsideration of the adoption of the substitute amendment.

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

[(2), (3) am. 2003 S.Res. 3]

**SENATE RULE 38. Third reading; question.** (1) Upon the 3rd reading of the bill the question is: "This bill having been read 3 separate times, the question is, "Shall the bill pass' or "Shall the bill be concurred in'," as the case may be, or other appropriate language may be used. A proposal on the calendar for 3rd reading is not subject to amendment but it may, on motion or by unanimous consent, be referred back to 2nd reading for the consideration of proposed amendments. The motion requires a majority vote and is debatable.

(2) The position of a proposal on the calendar for 3rd reading is subject to removal from that position if the removal is necessitated by a motion for reconsideration that is pending or decided under rule 67, but if the motion is negatively decided before the proposal is reached for consideration under that order, the position of the proposal under the order remains unchanged.

[am. 2001 S.Res. 2]

[(1) am. 2003 S.Res. 3]

**SENATE RULE 39. Minimum special quorum.** On the question on proposals ready for a 3rd reading in cases where a minimum special quorum is required by constitution, statutes, rules, or otherwise, and when there are permanent vacancies in the senate, the membership presently serving is the basis for determining such minimum special quorum.

[am. 2001 S.Res. 2]

**SENATE RULE 40. Proposal amended on 3rd reading to be reengrossed.** If a senate proposal ordered engrossed and read a 3rd time is amended or otherwise changed it shall

be reengrossed before being read a 3rd time. Any senate proposal that passed the senate with amendments shall be engrossed under the supervision of the chief clerk before being messaged to the assembly. However, if the amendment is an unamended substitute amendment, the original substitute amendment is the bill.

[am. 2001 S.Res. 2]

[am. 2003 S.Res. 3]

**SENATE RULE 41. Rereference in order; withdrawing from committee.** (1) (a) A proposal or other matter may be rereferred at any time prior to its passage, except that a motion to withdraw from committee may not take effect during the 7 days preceding any scheduled committee hearing or the 7 days following the date on which a committee hearing is held.

(b) A motion to rerefer or withdraw is in order, but the question is divisible, and the senate having once refused to rerefer or withdraw a proposal or other matter from committee, any subsequent motion to rerefer or withdraw requires a suspension of the rules.

(c) A motion to withdraw a matter from the committee on senate organization, if approved, places the matter on the calendar. A motion to withdraw a matter from any other committee, if approved, places the matter in the committee on senate organization unless the senate rerefers the matter to a different committee.

(d) Whenever a bill is introduced in the senate or assembly under section 227.19 (5) (e) or 227.26 (2) (f) of the statutes, the bill is considered reported without recommendation and shall be placed before the committee on senate organization if a report is not received from the standing committee within 30 days after the date of referral. This paragraph 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 biennial session under Joint Rule 83 (2).

(e) During any interim period between regularly scheduled floorperiods, if the committee on senate organization receives a standing committee's report on a bill that by statute requires review by the joint committee on finance before being passed, the committee on senate organization may, on any day of the interim, rerefer that bill to the joint committee on finance and, in that case, shall direct the chief clerk to record the rereferral by an appropriate entry in the journal.

(2) Reference to committee is not in order after a proposal is passed or indefinitely postponed or finally disposed of by any action equivalent thereto. Questions of reconsideration, concurrence in amendments of the assembly, conference committee reports, or executive vetoes may be placed on the table, but may not be referred to committee.

(3) The legislative council is not a legislative committee within the meaning of this rule and reference of proposals thereto for recommendation as in the case of standing or special committees is not in order.

[(1)(d) cr. 1981 S.Res. 2]

[(1)(c) and (d) am. 1987 S.Res. 2, 1993 S.Res. 3]

[(1)(e) cr. 1997 S.Res. 2]

[(1)(a), (b) and (d), (2) and (3) am. 2001 S.Res. 2]

[(1)(a) to (d), (2) am. 2003 S.Res. 3]

**SENATE RULE 42. Messaging to the assembly; proposals held during reconsideration period.** (1) Every bill or joint resolution upon which such action has

been taken that it is next to be messaged to the assembly shall be so messaged by the chief clerk, but shall be held in the chief clerk's office until the time for reconsideration of the bill or joint resolution has expired. If the rules have been suspended for immediate messaging, the chief clerk shall enter the action in the history file for the bill or joint resolution. Every privileged joint resolution is messaged immediately without a suspension of the rules unless it is otherwise ordered by the senate.

(2) A bill or joint resolution that has been ordered immediately messaged to the assembly by the suspension of this rule is subject to further action by the senate while the bill or joint resolution is in physical possession of the senate. The further action is contingent upon a motion to rescind the action of ordering its immediate messaging being decided by a two-thirds vote.

[ (1) am. 1995 S.Res. 2 ]  
[ am. 2001 S.Res. 2 ]  
[ am. 2003 S.Res. 3 ]

**SENATE RULE 43. Enrolling bills and joint resolutions.** Promptly after a senate bill has passed both houses, and before it is presented to the governor for approval, the chief clerk shall deliver the jacket to the legislative reference bureau, which shall enroll the bill, prepare the requisite number of copies, and return the jacket and copies to the chief clerk, who shall record it correctly enrolled in the journal stating the day it was presented to the governor. As far as applicable, the same procedure shall be followed in the case of senate joint resolutions requiring enrolling.

[ am. 2001 S.Res. 2 ]

**SENATE RULE 44. Signing of documents.** The original of all enrolled acts and joint resolutions, all engrossed resolutions, and all writs, warrants, and subpoenas issued by order of the senate shall be signed by the president, and attested by the chief clerk.

[ am. 1995 S.Res. 2 ]  
[ am. 2001 S.Res. 2 ]

**SENATE RULE 45. Offering of privileged resolution.** A resolution privileged by rule 69 shall, when sent to the clerk's desk, be read at length by the chief clerk, but may be read by its relating clause if copies of the text have been distributed to the members. When so read, the privileged resolution is before the senate.

[ am. 1995 S.Res. 2 ]  
[ am. 2001 S.Res. 2 ]  
[ am. 2003 S.Res. 3 ]

**SENATE RULE 46. Presentation of proposals and other matters.** (1) (a) Proposals, amendments, petitions, reports, communications, or other documents that may properly come before the senate shall be presented by a member thereof to the chief clerk, or a staff member designated by the chief clerk, at anytime, except as otherwise provided in senate rule 93 (1p) and joint rule 83 (2). A brief statement of the contents thereof must appear thereon, together with the name of the members introducing or offering the same. If a document is to be reproduced, the chief clerk shall number the document.

(b) The chief clerk shall announce each document introduced or offered under par. (a), and each proposal received from the assembly, on the next session day under the appropriate order of business. The document or proposal shall be recorded in the first journal published after the document or proposal is received by the chief clerk.



(2) (a) The chief clerk shall advise the president of documents that must be referred under the rules and the president shall promptly refer the document to the appropriate committee.

(b) Within 3 working days after the time of initial referral by the president under rule 4 (2), a proposed rule may, with consent of the chairperson of the standing committee, be withdrawn from the standing committee to which it is referred and rereferred to another standing committee. Such action does not extend the standing committee review period. Rereferral may be made at any time.

(c) Within 5 working days after the time of initial referral by the president under rule 36 (2), a proposal or appointment may, with the consent of the chairperson of the standing committee, be withdrawn from the standing committee to which it is referred and rereferred to another standing committee. Rereferral under this rule may be made at any time, but may not be used to satisfy section 13.093 (1) of the statutes.

(d) The chief clerk shall announce each referral, or withdrawal and rereferral, provided for under the senate rules on the next session day under the appropriate order of business. Each referral, or withdrawal and rereferral, shall be recorded in the first journal published after the referral, or withdrawal and rereferral, occurs.

(4) Unless otherwise ordered, petitions shall be read by title only and referred to the appropriate committee.

(5) A proposed amendment that is offered must have a heading stating the number of the proposal that it is proposed to amend and the name of the member proposing the amendment. The chief clerk shall read the number of the amendment. The amendment shall be reproduced. The jacket copy of the amendment shall be placed in the jacket and copies shall be distributed as provided by the rules.

[(2)(b) cr. 1981 S.Res. 2]

[(2)(c) cr. 1989 S.Res. 3]

[(1) and (5) am. 1995 S.Res. 2]

[(title), (1), (2) and (5) am. 2001 S.Res. 2]

[(1), (2)(a), (b), (5) am. 2003 S.Res. 3]

[(1)(b), (2)(d) cr. 2003 S.Res. 3]

## Chapter 5: AMENDMENTS - FORM AND PROCEDURE

**SENATE RULE 47. When amendments may be considered.** (1) Consideration of simple amendments or of substitute amendments is in order only upon the second reading of the proposal and if in compliance with rule 34.

(2) Whenever a joint resolution proposing an amendment to the constitution is placed on the calendar under rule 18 it shall be placed under the proper "2nd reading" order of business.

(3) A senate resolution or joint resolution that does not propose an amendment to the constitution may be referred directly to the committee on senate organization. When placed on the calendar under rule 18 such resolutions shall be placed under the proper "2nd reading" order of business and, upon reading, the question is directly upon adoption or concurrence.

(4) During consideration of amendments when both simple amendments and substitute amendments to a proposal are pending, the question, in ascending numerical order, is first upon amendments to the substitute amendment of the lowest number, and then upon that substitute amendment, unless the senate by majority vote otherwise orders.

(5) Amendments are not in order upon consideration of an executive veto.

[ (3) am. 1987 S.Res. 2, 1993 S.Res. 3 ]

[ (1), (3) and (5) am. 2001 S.Res. 2 ]

[ (4) am. 2003 S.Res. 3 ]

**SENATE RULE 48. Reading of amendments.** The chief clerk shall read the full text of each amendment to the members, and the presiding officer shall state the number of each amendment, but amendments that have been distributed to the members may not be read at length.

[ am. 1995 S.Res. 2 ]

[ am. 2001 S.Res. 2 ]

[ am. 2003 S.Res. 3 ]

**SENATE RULE 49. Offering amendments.** Amendments shall be numbered in the order received, and shall bear the name of the member or the committee offering the same. Amendments shall be prepared in proper form by the legislative reference bureau, and must be offered in compliance with rule 29; except that when the proposal is debated on 2nd reading amendments may be offered from the floor. The chief clerk shall have amendments offered from the floor drawn in proper form as soon as possible and before the proposal is subsequently engrossed and delivered to a committee or to the assembly. This provision does not delay action upon an amendment offered from the floor.

[ am. 2001 S.Res. 2 ]

[ am. 2003 S.Res. 3 ]

**SENATE RULE 50. Substitute amendments and amendments must be germane. (1)** Every substitute amendment and amendment to a proposal must be germane to that proposal.

(1m) A standing committee may not report any substitute amendment or amendment to a proposal originating in either house, and the senate may not consider any substitute amendment or amendment to a proposal, that is not germane to that proposal.

(2) A substitute amendment or amendment to a proposal may not be considered if the presiding officer rules that the substitute amendment or amendment is not germane to that proposal.

(3) The presiding officer may rule only on the germaneness of a senate substitute amendment or amendment and only when the substitute amendment or amendment is before the senate.

(4) An amendment to an amendment to a proposal must be germane to the amendment as well as to that proposal.

(6) The following substitute amendments or amendments are not germane:

(a) A substitute amendment or amendment that is identical in effect to one previously offered and disposed of as another substitute amendment or amendment to the same proposal.

(b) A substitute amendment or amendment to a proposal that relates to a subject that is different from the subject of that proposal, that is intended to accomplish a purpose that is different from the purpose of that proposal, that negates that proposal entirely, or that substitutes another proposal pending before the senate.

(8) The following substitute amendments and amendments are germane:

(a) A substitute amendment or amendment proposing a method of raising revenues for an appropriation bill or proposing an appropriation for a revenue bill.

(b) A substitute amendment or amendment adding an appropriation necessary to fulfill the original intent of a proposal.

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

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

[(1) to (3), (8) and (10) am. 2001 S.Res. 2]

[am. 2003 S.Res. 3]

**SENATE RULE 51. Amendment in the 3rd degree prohibited.** Amendments beyond the degree of an amendment to an amendment to the main proposition are prohibited. For the purposes of this rule a substitute amendment, and an assembly amendment to a senate proposal or amendment, are considered a main proposition.

[am. 2001 S.Res. 2]

**SENATE RULE 52. Motions to be germane.** A motion or proposition on a subject different from that under consideration may not be admitted under color of amendment.

[am. 2001 S.Res. 2]

[am. 2003 S.Res. 3]

**SENATE RULE 53. Committee amendments; speaking on amendment.** Amendments reported by committees shall be acted upon by the senate in the same manner as though offered from the floor. On an amendment being offered, a member who has spoken on the main question may speak again on the amendment.

**SENATE RULE 55. Order of action.** If adverse action is recommended by a committee, that question is put first. However, the senate may direct the consideration of amendments, but adoption of amendments does not change the question.

[am. 2001 S.Res. 2]

## **Chapter 6: GENERAL PROCEDURE - ORDER IN DEBATE**

**SENATE RULE 56. Recognition; debate.** Members who are about to speak in debate or deliver any matter to the senate shall rise in their places and respectfully address the presiding officer, and, upon being recognized, shall proceed, confining themselves to the question under debate and avoiding personalities. Members may not question the motives of another member. Members may read briefly from printed material unless there is objection.

[am. 2001 S.Res. 2]

**SENATE RULE 57. Presiding officer to name first speaker.** When any 2 or more members rise at the same time, the presiding officer shall name the person who is to speak first.

[am. 2001 S.Res. 2]

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

[am. 2001 S.Res. 2]

**SENATE RULE 59. How members may speak.** Members may not speak except from their assigned places, and not more than twice on a question, except on leave of the senate. If a question pending is lost by adjournment and revived on the succeeding roll call day, a member who spoke twice on the preceding roll call day may not again speak without leave of the senate.

[am. 2001 S.Res. 2]

[am. 2003 S.Res. 3]

**SENATE RULE 60. Personal privilege.** Members may rise to explain matters personal to themselves by leave of the presiding officer, but may not discuss pending questions in the explanations. Questions of personal privilege are limited to questions affecting the rights, reputation, and conduct of the members in their representative capacities. A member's right to speak on a point of personal privilege has precedence over all other questions except a motion to adjourn or a motion to raise a call.

[am. 2001 S.Res. 2]

**SENATE RULE 61. Special privilege.** Any member desiring to make a personal explanation on a matter other than one of personal privilege may rise and, by leave of the presiding officer, and within such limitation of time as the presiding officer or senate may determine, discuss any subject relative to state or local government, public welfare, conduct of public officials in relation to their official duties, and matters pertaining to the rights of the senate collectively, and its safety and dignity, and the integrity of its proceedings. A member may not be granted the right to speak on a point of special privilege while any matter is pending or under discussion before the senate.

[am. 2001 S.Res. 2]

**SENATE RULE 62. Stating motions.** When a motion is made, the presiding officer shall state it or the chief clerk shall read it prior to debate. If a member requires it, all motions, except to adjourn, postpone, or refer, shall be reduced to writing. Except as provided in rule 67, any motion may be withdrawn by consent of the majority of those present.

[am. 2001 S.Res. 2]

[am. 2003 S.Res. 3]

**SENATE RULE 63. Motions in order during debate.** (1) When a question is under debate, a motion may not be received except:

(a) To adjourn (not debatable or amendable, member must have floor to make motion, see rules 64 and 68).

(b) To adjourn to a fixed time (not debatable; amendable only as to time, see rules 64 and 68).

(c) To raise a call (not debatable or amendable, carried by majority vote of the members present, see rules 68 and 85 (5)).

(d) Personal privilege (not debatable, subject to time limit imposed by the presiding officer, see rule 60).

- (e) To recess (debatable only as to length of recess, *see* rules 64 and 68).
- (f) To lay on table (not debatable, returns matter to committee on senate organization, *see* rules 18, 65 and 68).
- (g) For the previous question (not debatable but amendable to establish time limit for debate, *see* rules 68 and 77).
- (h) For the current question (not debatable but amendable to establish time limit for debate, *see* rules 68 and 77).
- (i) To postpone to a day certain (debatable, may not be renewed on same day unless matter has advanced to subsequent stage or has been changed by amendment, *see* rule 66).
- (j) To refer to a standing committee (debatable, in order at any time before passage, *see* rule 41).
- (k) To refer to a special committee (debatable, in order at any time before passage, *see* rule 41).
- (m) To postpone indefinitely, to reject or to nonconcur, as applicable (debatable, takes precedence over corresponding motion to approve, *see* rule 55).
- (n) To amend (debatable, must be germane, *see* rules 50 and 53).

(2) These several motions have precedence in the order in which they are set forth in this rule.

[(1)(m) and (n) rn. 1981 S.Res. 2]

[(1)(f) am. 1987 S.Res. 2, 1993 S.Res. 3]

[(1)(intro.), (d), (j) and (k) and (2) am. 2001 S.Res. 2]

**SENATE RULE 64. Motion to adjourn always in order.** A motion to adjourn is always in order except when the senate is voting. However, a member may not move an adjournment when another member has the floor and 2 consecutive motions to adjourn are not in order unless other business intervenes. A motion to adjourn to a time certain or to recess has the same privilege as a motion to adjourn, but such motions have the order of precedence prescribed in rule 63.

[am. 2001 S.Res. 2]

**SENATE RULE 65. Laying on table.** (1) A motion to lay on the table has only the effect of disposing of the matter temporarily and it may be taken from the table at any time by order of the majority of those present.

(2) A motion to lay a proposal on the table, if approved, has the effect of returning the matter to the committee on senate organization.

(3) A motion to remove a proposal from the table, if approved, has the effect of withdrawing the matter from the committee on senate organization and placing it on the calendar.

[(2) and (3) am. 1987 S.Res. 2, 1993 S.Res. 3]

[am. 2001 S.Res. 2]

[(1) am. 2003 S.Res. 3]

**SENATE RULE 66. Motion to postpone.** A motion to postpone to a day certain, to refer, or to postpone indefinitely, being decided, may not be again allowed on the same day unless

the matter has been altered by amendment or advanced to a subsequent stage. A 2nd motion to reject an amendment is subject to this rule and may not be twice allowed on the same day unless altered by amendment.

[am. 2001 S.Res. 2]

**SENATE RULE 67. Motion to reconsider.** (1) A motion to reconsider a question may be made by a member having the floor who voted with the majority, or whose position recorded under rule 75 agreed with the majority. In the case of a voice vote or tie vote, the motion for reconsideration may be offered by a member not recorded absent on the question that is moved to be reconsidered. The motion for reconsideration is subject to all rules governing debate that apply to the question moved to reconsider.

(2) On questions requiring by the constitution, statutes, rules, or otherwise, a specified number of affirmative votes, the prevailing side is the majority, but such minimum affirmative requirement does not apply to the question of reconsideration.

(3) The motion for reconsideration shall be made on the same or the next succeeding roll call day and it shall be received under any order of business.

(4) A motion to reconsider shall be put immediately after pending business of higher precedence is disposed of unless it is laid over to a future time by a majority vote. A motion for reconsideration may be laid on the table without debate.

(5) After the time for receiving the motion has expired, a pending motion for reconsideration may not be challenged on the ground that the member making the motion did not vote with the majority.

(6) A motion for reconsideration, when made on the same day as the action that is moved to be reconsidered, and not acted upon due to adjournment, other than adjournment under call on the question, expires with adjournment, but if made on the following day is not lost by adjournment. A motion to reconsider amendments to a proposal is in order notwithstanding the proposal's advancement to a 3rd reading and a motion to reconsider the advancement is in order notwithstanding the suspension of the rules to take final action if the motions for reconsideration are otherwise timely and in order. Reconsideration of amendments under this rule has the same priority as to order of action as to amend under rule 63.

(7) Whenever a proposal is returned from the assembly, the governor, or elsewhere for further action pursuant to the senate's request for the return, motions for reconsideration necessarily incident to opening the proposal for further action shall be admitted regardless of the time limitation otherwise imposed by this rule. Action on executive vetoes or appointments or any motion to suspend the rules is not subject to a motion for reconsideration.

(8) A motion for reconsideration, once entered, may only be withdrawn by the member making the motion, and only within the time when the motion by another member would still be timely; later only by consent of or action by the senate.

(9) The motion for reconsideration having been put and lost may not be renewed but, if carried, subsequent motions for reconsideration of the same action are in order.

[(1) am. 1979 S.Res. 3]

[(1), (2) and (5) to (9) am. 2001 S.Res. 2]

[(3), (6), (7), (8) am. 2003 S.Res. 3]

**SENATE RULE 68. Questions to be decided without debate.** A motion to adjourn, to adjourn to a fixed time, to take a recess, to lay on the table, to take from the table, to place a call, to raise a call, to grant a leave, to suspend the rules, or to reconsider a nondebatable question or a call for the current or previous question, are decided without debate and may not be placed on the table. All incidental questions of order arising after a motion is made for any of the questions named in this rule, and pending the motion, is decided, whether on appeal or otherwise, without debate.

[am. 2001 S.Res. 2]

[am. 2003 S.Res. 3]

**SENATE RULE 69. Privileged motion or resolution.** A motion or resolution relating to the organization or proceedings of the senate, or to any of its officers, members, or committees, is privileged in that it need not lie over for consideration, but may be taken up immediately unless referred to the calendar or committee.

[am. 2001 S.Res. 2]

[am. 2003 S.Res. 3]

**SENATE RULE 70. Division of question.** A member may call for the division of a question, which shall be divided if it consists of propositions in substance so distinct that, one being taken away, a substantive proposition remains for the decision of the senate. A motion to delete and substitute is indivisible, but a motion to delete being lost does not preclude an amendment or a motion to delete and substitute. Division of action directly upon the substance of a proposal, as to pass, advance to a 3rd reading, indefinitely postpone, or any equivalent, which division may be accomplished by an amendment, are not permitted under this rule.

[am. 2001 S.Res. 2]

**SENATE RULE 71. Putting question.** All questions may be put in this form: "Those who are of the opinion that the bill pass, be concurred in, etc., (as the case may be) say, 'Aye'. Those of contrary opinion say, 'No';" or other appropriate words may be used.

**SENATE RULE 72. Ayes and noes.** (1) The ayes and noes may be ordered by the presiding officer for any vote and shall be ordered when demanded by one-sixth of the members present. The chief clerk shall record the votes taken by ayes and noes, report the result, and enter the report in the journal together with the names of those absent or not voting.

(2) Members shall remain in their seats and may not be disturbed by any other person while the ayes and noes are being called.

(3) A request for a roll call is not in order after the result of the vote has been announced.

[(1) am. 2001 S.Res. 2]

**SENATE RULE 73. Every member to vote.** (1) All members present when a question is put shall vote as their names are called. For a special cause the senate may excuse a member from voting, but it is not in order for a member to be excused after the senate has commenced voting.

(2) When the vote is by ayes and noes, a member entering the chamber after the question is put and before it is decided may have the question stated and vote, with the vote being counted in the outcome.

[(2) am. 2001 S.Res. 2]

**SENATE RULE 74. Explanation of vote not allowed.** Explanation by a member of his or her vote, at the time of the calling of the member's name, is not allowed.

**SENATE RULE 75. Recording position of absent member.** Any member absent from all or part of a day's session by leave of the senate under rule 16 or 23 may, within one week after returning, instruct the chief clerk in writing, on a form entitled "statement of position" to be provided by the chief clerk, to have the journal show that had the member been present when a certain vote was taken the member would on that issue have voted aye or have voted no. If the member returns before the vote is taken, the statement of position is void and the member shall cast his or her vote as required under rule 73.

[am. 2001 S.Res. 2]

## Chapter 7: LIMITING DEBATE

**SENATE RULE 76. Scheduling time limits for debate.** (1) Time limits and schedules for debate may be designated in the manner described in sub. (2). The time limits may be rejected or modified by majority vote of the senate, but this question is not debatable. The schedules and time limits shall be announced by the presiding officer immediately upon being presented. Promptly at the expiration of the time allotted, the presiding officer shall put the question.

(2) Time limits and schedules for debate may be designated under sub. (1) by any of the following means:

(a) By the committee on senate organization.

(b) Jointly by the majority leader and the minority leader, if the committee on senate organization does not object.

(c) By the presiding officer, if the majority leader and the minority leader do not object.

[am. 1987 S.Res. 2, 1989 S.Res. 3, 1993 S.Res. 3]

[am. 2001 S.Res. 2]

[(1) am. 2003 S.Res. 3]

[(2) cr. 2003 S.Res. 3]

**SENATE RULE 77. Current or previous question; time limit on debate.** (1) When any matter is under consideration any member may move the "current question" or that the "current question be put." The motion is not debatable and if carried by a majority the subsidiary question then pending before the senate shall be put without debate.

(2) A motion to establish the amount of time to be given a particular matter may be made in the same manner as provided in sub. (1), except that this motion is subject to amendment, which also is decided without debate.

(3) When a matter is under consideration a member may move the "previous question" or that the "previous question be put." The motion is not debatable and if carried by a majority the main question then pending before the senate shall be put without debate.

[am. 2001 S.Res. 2]

**SENATE RULE 78. Putting of motion; ending debate.** (1) The previous question being moved, the question is: "Shall the main question be now put?", which question is determined by the ayes and noes. The main question being ordered to be now put, its effect is to end all debate, and bring the senate to a direct vote upon the main question.



(2) Amendments or substitute amendments may be offered, but not debated, and shall be considered immediately. A motion to lay on the table is not in order after the main question is ordered.

(3) Ordering the previous question at any stage of a proposal precludes debate on all questions under that order, but not upon a motion to reconsider the question terminating that order.

[am. 2001 S.Res. 2]

**SENATE RULE 79. Main question may remain before the senate.** When, on taking the previous question, the senate decides that the main question shall not now be put, the main question shall remain as the question before the senate, in the same stage of proceedings as before the previous question was moved.

[am. 2001 S.Res. 2]

**SENATE RULE 80. But one call of the senate in order.** On motion for the previous question, and before the ordering of the main question, one call of the senate is in order; but after proceedings under the call have been once dispensed with, or after a majority orders the main question, a call is not in order before the decision of the question.

[am. 2001 S.Res. 2]

### Chapter 8: CALL OF THE SENATE

**SENATE RULE 81. Call of the senate.** (1) Five senators may make a call of the senate and thereby require absent members to be sent for, but a call of the senate cannot be made after the voting has commenced.

(2) A call of the senate may be ordered on any motion or question before the senate, including a motion to adjourn, but a call of the senate on a motion to adjourn is not in order once the senate is under call on any other question.

[(2) am. 2001 S.Res. 2]

**SENATE RULE 82. Putting question.** (1) On a call of the senate being moved, the presiding officer shall say: "It requiring 5 senators to make a call of the senate, those in favor of the call shall rise." And, if a sufficient number rise, the call shall be thereby ordered without debate.

(2) When a motion for a call of the senate fails of the support of the necessary 5 members, and announcement of that fact is made, a 2nd motion for a call on the same question is not in order unless other business intervenes.

[am. 2001 S.Res. 2]

**SENATE RULE 83. Doors to be closed.** A call of the senate being ordered, the sergeant at arms shall close the doors, and members may not leave the chamber, but the public may come and go under such regulations as the sergeant at arms finds necessary.

[am. 2001 S.Res. 2]

**SENATE RULE 84. Sergeant to bring in absentees.** The chief clerk shall immediately call the roll of the members, and note the absentees, whose names shall be read, and entered upon the journal in such manner as to show who are absent with leave and who are

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 forthwith proceed to find and bring in such absentees.

**SENATE RULE 85. Transacting business while under call.** (1) **GENERAL RULE.** While the senate is under call, business may not be transacted with reference to the matter on which the call is made except to receive and act upon the report of the sergeant at arms, to act on a motion to raise one or more calls, to adjourn, or to adjourn to a time certain. A roll call on a call of the senate must be completed before the senate may take up a special order fixed for that time. A joint resolution to dispose of all matters before the senate and to recess includes matters under call.

(2) **CONCURRENT CALLS.** While the senate is under call, a concurrent call may be ordered on any other business before the senate except on a motion for a leave of absence for a member or a motion to dispense with further proceedings under a call.

(3) **OTHER BUSINESS.** Other business may be conducted by those present as if there were no call.

(4) **SUCCESSIVE CALLS ON SAME QUESTION; INTERVENING BUSINESS.** Successive calls on the same question are in order if any other action on pending business has intervened between calls of the senate.

(5) **RAISING CALL.** A motion to raise one or more calls takes precedence over every other motion, except a motion to adjourn. The affirmative vote of a majority of those present is required for adoption. Upon adoption of a motion to raise one or more calls, business shall be taken up at the point at which it was interrupted by the call, except that motions to recess or adjourn take precedence over the question on which the call was raised, and subsequent calls on motions unrelated to progress of a proposal are in order. The motion to raise a call is not amendable.

(6) **EFFECT OF ADJOURNMENT UPON CALL OF SENATE.** A majority of those present may adjourn, but upon reconvening, the senate is not under call, but the call of the senate may again be ordered in the same manner as provided in this rule.

(7) **GRANTING LEAVE UNDER CALL.** Absent members may be granted leave during a call of the senate by majority vote. Leave cannot be canceled after a call of the senate has been ordered. Prior leave expires when the senator returns although it is before the time limit set.

[(1), (5) to (7) am. 2001 S.Res. 2]  
[(5) am. 2003 S.Res. 3]

**SENATE RULE 86. Sergeant at arms may report.** The sergeant at arms may make a report of the proceedings under the call at any time. The motion to accept the report is determined by ayes and noes. The call may not be raised unless a majority of those present vote in favor of the motion. If the report is not accepted, the sergeant at arms shall proceed to a completion of the duties under rule 84.

[am. 2001 S.Res. 2]  
[am. 2003 S.Res. 3]

**SENATE RULE 87. Call raised when absentees present and business disposed of.** When the sergeant at arms reports that all who were absent without leave are present and

names them, the report shall be entered on the journal. The call ends as soon as the business, pending when the call was made, is disposed of.

[am. 2001 S.Res. 2]

### **Chapter 9: EMPLOYEES**

**SENATE RULE 88. Employment and supervision of senate employees.** (1) The committee on senate organization has general supervision and direction over all employees of the senate and may supervise or assign supervision over employees as it considers proper to the chief clerk, to the sergeant at arms, or to members.

(2) On recommendation of the respective appointing officers, the committee on senate organization shall allocate the number of employees of the senate within the limits established by the staffing pattern then in force and the duties and responsibilities assigned to each employee. The committee on senate organization shall assign each position to the proper pay range.

(3) Employees may not be allowed compensation except for such time as they are in attendance, except when absent with leave granted by their superior officers. Employees are not exempt from this provision on any day of the week. All employees shall perform such duties in connection with the work of the senate as are assigned to them by their superior officers, and shall be available at such hours as their superior officers direct.

[am. 2001 S.Res. 2]

[(1), (3) am. 2003 S.Res. 3]

**SENATE RULE 89. Certification of payroll.** The chief clerk and the sergeant at arms of the senate shall certify to the department of administration the names of all persons employed in their respective offices by the senate, the capacity in which employed, and the amounts respectively due them if the certificate is approved by the chairperson of the committee on senate organization.

[am. 1995 S.Res. 2]

[am. 2001 S.Res. 2]

### **Chapter 10: RULES**

**SENATE RULE 90. Creating, amending, or repealing rules.** Senate rules may be created, amended, or repealed by resolution adopted by a vote of a majority of the senate membership presently serving. The vote is taken by ayes and noes. The resolution shall set forth the precise detail of the proposed creation, amendment, or repeal. After the senate rules have been established at the commencement of the biennial session, any resolution to change the senate rules must lay over one week.

[am. 2001 S.Res. 2]

[am. 2003 S.Res. 3]

**SENATE RULE 91. Suspending rules.** Senate rules may be suspended by the senate by vote of two-thirds of the members present. The vote is determined by ayes and noes unless unanimous consent is given.

[am. 2001 S.Res. 2]

**SENATE RULE 92. Continuity of senate rules.** Senate rules are effective until amended or repealed by the senate. Senate rules remain in force at the beginning of a succeeding biennial session until superseded by rules adopted by the senate in the succeeding biennial session of the legislature.

[am. 2001 S.Res. 2]  
[am. 2003 S.Res. 3]

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

(1) A proposal or amendment may not be considered unless it accomplishes the special purposes for which the special session was convened or the business specified in the action authorizing the extended floorperiod or extraordinary session.

(1d) Resolutions offering commendations, congratulations, or condolences, memorializing congress or an individual, or affecting senate or legislative rules or proceedings are declared not to be within the meaning of the term "business" under the constitutional provision limiting the matters to be considered during special sessions to those enumerated in the governor's call for a special session.

(1p) A senate proposal may not be considered unless it is recommended to be introduced or offered by the committee on senate organization, the senate committee on finance, the joint committee on finance, the joint committee on legislative organization, or by the joint committee on employment relations.

(2) A notice of hearing before a committee is not required other than posting on the legislative bulletin board, and a bulletin of committee hearings may not be published.

(3) The daily calendar is in effect immediately upon posting on the legislative bulletin boards. The calendar need not be distributed.

(4) Any point of order shall be decided within one hour.

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

(6) Any motion to advance a proposal and any motion to message a proposal to the assembly may be adopted by a majority of those present and voting.

[cr. 1983 S.Res. 4]  
[(intro.) am. 1989 S.Res. 3]  
[(1) and (3) am. 1995 S.Res. 2]  
[(1) to (3) and (5) am. 2001 S.Res. 2]  
[(intro.), (1), (1p), (6) am. 2003 S.Res. 3]  
[(1d) (from rule 33 (3)) am. 2003 S.Res. 3]

**SENATE RULE 94. Publishing of senate rules.** (1) Whenever directed to do so by the committee on senate organization, the chief clerk shall recompile and publish the senate manual containing the senate rules, the joint rules of the senate and assembly, and the constitution of this state, together with appropriate directories of the members of the legislature, legislative employees, accredited correspondents of the news media, a

detailed alphabetical index, and such other information approved by the committee on senate organization as is useful to the members. In recompiling the senate manual, the chief clerk shall make the spelling and other minor corrections authorized to be made in legislation under rule 31 (1) and (4) and shall consult with the legislative reference bureau to make any references to provisions of the constitution, statutes, joint rules, or senate rules conform to the numbers then assigned to the provisions.

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

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

(b) As directed by the chief clerk, a resolution amending the senate rules may be engrossed and duplicated for distribution.

[rn. from S.Rule 93 by 1983 S.Res. 4]  
[am. 1987 S.Res. 3]  
[(3)(a) am. 1995 S.Res. 2]  
[(1) and (3) am. 2001 S.Res. 2]  
[(1) am. 2003 S.Res. 3]

**Chapter 11:  
MISCELLANEOUS**

**SENATE RULE 95. Copies for senate.** All publications for the senate and reproduction to be done for the senate shall conform to the senate and joint rules or be as determined by the committee on senate organization or the joint committee on legislative organization.

[rn. from S.Rule 94 by 1983 S.Res. 4]  
[am. 1995 S.Res. 2]  
[am. 2001 S.Res. 2]

**SENATE RULE 96. Fiscal estimates.** (1) The committee on senate organization may request from the legislative fiscal bureau an original fiscal estimate on a bill if the committee believes that a fiscal estimate on the bill will not be completed by the state agency assigned to prepare the fiscal estimate before the bill receives a public hearing, is voted on by a senate standing committee, or is considered by the senate.

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

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

has one or more original fiscal estimates requested under sub. (1) does not delay consideration of the bill.

[cr. 2001 S.Res. 2]

**SENATE RULE 97. Space assignments.** At the commencement of each biennial session, the committee on senate organization shall assign to each member the seat to be occupied by that member during the biennial session. The schedule of room assignments to members and committees, and the schedule of meetings of standing committees, shall follow the schedule of the previous biennial session unless changed by vote of the committee on senate organization.

[rn. from S.Rule 96 by 1983 S.Res. 4]

[am. 2001 S.Res. 2]

[am. 2003 S.Res. 3]

**SENATE RULE 98. Citations on behalf of the senate.** (1) A member may sponsor a citation on behalf of the senate to a particular person, group, or organization or to commemorate a particular event or occasion as specified in the citation. Citations may be issued during any floorperiod, during any committee work period, or during the interim period of committee work. Citations are issued without formal approval by vote of the senate.

(1m) Citations may be used in place of resolutions for commendations, congratulations, and condolences of persons, groups, or organizations or to give recognition to unusual and important events or occasions, except that the use of citations may not be abused. The committee on senate organization may more specifically interpret this subsection.

(2) If desired by the issuing member, a citation on behalf of the senate may be coauthored by one or more other members or cosponsored by one or more representatives to the assembly.

(3) The president and chief clerk shall sign a citation on behalf of the senate. If so signed, it is considered approved by the senate and shall be so recorded in the journal. The issuing senator may also sign the citation. If the president or chief clerk refuses to approve a citation, the committee on senate organization may require the president and chief clerk to approve it. A copy of the finished citation shall be provided to the issuing senator, and another copy thereof shall be filed in the legislative reference bureau.

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

(Scrollwork Incorporating State Coat of Arms)

CITATION BY THE SENATE

KNOW YOU BY THESE PRESENTS:

WHEREAS, The Burlington Standard Press has been recognized by the Wisconsin Newspaper Association; and

WHEREAS, William E. Branen, Publisher of the Burlington Standard Press, has been named by....; now,

THEREFORE, The Members of the Wisconsin Senate, on the motion of Senators Maurer and Cullen [and Representative(s)], under Senate Rule 98, congratulate William E. Branen for his accomplishments ....

STATE CAPITOL  
Madison, Wisconsin

.....  
(Date)

.....  
(President)

.....  
(Chief Clerk)

[rn. from S.Rule 97 by 1983 S.Res. 4]  
[(4) am. 1995 S.Res. 2]  
[am. 2001 S.Res. 2]  
[(1), (1m), (3), (4)(intro.) am. 2003 S.Res. 3]

**SENATE RULE 99. Definitions.** The following are definitions of the major terms used in the senate 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 [see also subs. (16) and (54)].
- (4) **AMENDMENT:** A suggested alteration in a proposal or amendment, often referred to as a simple amendment in distinction to a substitute amendment, which is 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 a quorum.
- (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 agenda for a legislative day.
- (9) **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 officer elected to perform and direct the clerical and personnel functions of one of the houses.
- (13) COMMITTEE CHAIRPERSON: The head of a committee.
- (14) COMMITTEE EXECUTIVE ACTION: The action of a committee on any proposal.
- (14m) COMMITTEE OF CONFERENCE: A committee of representatives to the assembly and of senators, appointed to resolve differences on a specific proposal.
- (15) COMMITTEE OF THE WHOLE: The membership of one house 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 [see also subs. (3) and (54)].
- (18) CONTESTED SEAT: A district in which 2 or more persons claim the right to represent the district.
- (20) CURRENT MEMBERSHIP: The members of one of the houses, certified as elected in the last general election, omitting those who have subsequently 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 one of the houses, 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 senate action.
- (27m) EXTRAORDINARY SESSION: The convening of the legislature by the assembly and senate committees on organization or by joint resolution of the legislature to accomplish the business specified in the action calling the session. When used to continue a floorperiod of the biennial 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 50, explaining the impact of a bill on state or local finances.
- (29m) FLOOR OF THE SENATE: That portion of the senate chamber that is reserved for members, senate officers, and persons granted the privilege of the floor.
- (30) FLOOR AMENDMENT: Any amendment offered for 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 a 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 biennial session.
- (36) **INTRODUCTION:** The formal presentation of a bill before one of the houses [see also sub. (50m)].
- (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 of the legislature; 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 proceedings adopted by both houses.
- (41) **JOURNAL:** The official publication of one of the houses.
- (42) **LEAVE:** Permission to be absent from one of the houses.
- (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 a motion made or question raised when no other matter is before the house. 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 a house, the joint rules, the session schedule, the state constitution, alphabetical indexes, and other materials relevant to a legislator's job.
- (47) **MEMBER:** A duly elected senator or representative to the assembly.
- (48) **MEMBERS PRESENT:** Those members in attendance at a daily meeting of the senate.

(48m) MEASURE: Another term for proposal.

(49) MOTION: A proposed action requiring approval by a vote of a house.

(50) NONCONCURRENCE: The refusal of one house to agree to a proposal, amendment, or action of the other.

(50m) OFFER: The formal presentation of a joint resolution, resolution, substitute amendment, amendment, or motion before a house [see also sub. (36)].

(51) OPINION OF THE ATTORNEY GENERAL: A formal reply by the attorney general to a specific question.

(52) PAIR: A written agreement between 2 members on opposite sides of a question not to vote on that question while 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 proceeding.

(54) PASSAGE: Final approval in the first house of a bill introduced in that house if referring to action of one house and final approval of both houses of a bill introduced in either house if referring to action of both houses [see also subs. (3) and (16)].

(55) PETITION: A request that one of the houses take a particular course of action.

(56) POINT OF ORDER: A request that the presiding officer rule on some matter of parliamentary procedure.

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

(57d) PRESIDENT: A member of the senate, elected by the membership to preside over the senate and carry out the duties as described in the senate rules, the joint rules, and the statutes.

(57m) PRESIDENT PRO TEMPORE: A member of the senate, elected by the membership to carry out the duties of the president in his or her absence until the return of the president or until a president is elected.

(57p) PRESIDING OFFICER: The person presiding over the senate or assembly in daily session [see also subs. (11), (57d), and (57m)].

(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 senate or assembly and its members 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 a house for consideration.

(61) QUESTION: A statement before one of the houses for decision.

(62) **QUORUM:** A majority of the current senate membership, unless otherwise required by the state constitution.

(63) **RECESS:** A temporary suspension of business during a roll call day.

(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 biennial session until the final adjournment of the biennial session.

(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 one of the houses.

(69) **REQUEST:** A proposed action that does not require a vote because: a) unanimous consent has been asked for; or 1g) the presiding officer has the authority to take or order the requested action.

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

(71) **RESOLUTION:** A proposal: expressing the opinion of one of the houses; changing the rules of one of the houses; or confirming a nomination for appointment.

(73) **ROLL CALL DAY:** A legislative day on which a 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.

(77) **SENATE CHAMBER:** The entire area south of the northern-most doors of the senate, including the floor, staff lobby, press lobby, visitor's galleries, and hallways, but excluding the offices of the senate officers.

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

(79) **SINE DIE ADJOURNMENT:** The final adjournment of a biennial or special session.

(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 a house. 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."

(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 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."

[cr. 2001 S.Res. 2]  
[(3), (4), (5), (7), (16), (20), (27), (27m), (28), (33), (35), (36), (40), (48), (50), (50m), (52),  
(53), (54), (57m), (59), (62), (63), (66), (70), (71), (79) am. 2003 S.Res. 3]  
[(57p) cr. 2003 S.Res. 3]

## Alphabetical Index

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February 2003

*Senate Rule*

### A

#### Absence:

call of the senate .....	81 (1)
committee members not to be absent .....	23
granting of leave under call .....	85 (7)
leave of, members .....	16
members absent or not voting reported by chief clerk .....	72 (1)
motion to grant leave not debatable .....	68
number smaller than a quorum may compel attendance of .....	15, 81 (1)
position on issue, statement of, by absent member .....	75
temporary absence of president, president pro tem, temporary presiding officer .....	2
under call of senate, prior leave expires upon return .....	85 (7)
Absentees during call, names to be read and entered in journal .....	84
Act (definition) .....	99 (1)
Actions in order during debate .....	63
Adjourn (definition) .....	99 (2)
<b>Adjournment:</b>	
call of senate expires as the result of, may be renewed .....	85 (6)
call of senate superseded by motion for .....	85 (1), (5)
honors, under 15th order of business .....	17 (1)(o)
is 16th order of business .....	17 (1)(p)
member's limit to speak twice on question continues through adjournment .....	59
motion to adjourn always in order, exceptions .....	64
motion to adjourn amendable only as to time .....	63 (1)(a), (b)
motion to adjourn not debatable, may not be tabled .....	68
pending motion or question is lost by .....	59
precedence of motion for .....	63, 64
smaller number than quorum may adjourn .....	15, 85 (6)
Administrative rules, committee for review of (see also ss. 13.56 and 13.565 stats.) .....	20 (3)
bill to suspend rule, how referred to calendar .....	41 (1)(d)
objection by standing committee to proposed rule, president refers to JCRAR .....	4 (2)
report concerning action (or inaction) on proposed rule .....	27 (2)
senate committee (JCRAR) may return proposal referred by senate .....	20 (3)(b)
<b>Administrative rules, review of:</b>	
bill to suspend proposed administrative rule: reference to calendar after 30 days .....	41 (1)(d)

notice and report referred to committee by president .....	4 (2)
objection by standing committee to proposed rule, president refers to JCRAR .....	4 (2)
report concerning action (or inaction) on proposed rule .....	17 (1)(g), 27 (2)
rereference to different standing committee .....	46 (2)(b)
<b>Admission to senate floor:</b>	
contestants for seats admitted to .....	12
correspondents of news media admitted, limited to press lobby while senate meeting in session .....	11 (5)
denied to person engaged in defeating or promoting legislation .....	11 (3), (4)
disturbance on, and clearing of .....	13
floor access limited to governor, lieutenant governor, members of legislature, certain senate staff .....	11 (1)
invitees of committee on senate organization admitted to .....	11 (6)
legislative employees, admitted to staff lobby while performing their duties .....	11 (2)
staff lobby access granted to state officers, members of congress, supreme court justices, former legislators and others .....	11 (2)
<b>Adoption (definition) .....</b>	<b>99 (3)</b>
<b>Adverse disposition:</b>	
committee recommendation controls question .....	55
joint resolution for all pending business, includes business under call .....	85 (1)
motion not permitted twice on same day at same stage of proposal .....	66
proposal not to be renewed in senate in same session .....	33 (2)
<b>Advice and consent of senate .....</b>	<b>22</b>
<b>Advisement, presiding officer may take point of order under .....</b>	<b>7 (2), (3)</b>
<b>Amend, precedence of motion to .....</b>	<b>63 (1)(n)</b>
<b>Amendable stage in consideration of proposal .....</b>	<b>37, 47 (1), (2)</b>
revival of amendment rejected by committee .....	27 (3)
<b>Amendment (definition) .....</b>	<b>99 (4)</b>
<b>Amendments:</b>	
adoption of, does not change question .....	55
adoption of, prior distribution of copies required .....	34 (2)
amendment to, must be germane to both amendment and proposal .....	50 (4)
assembly amendment to senate proposal: not to be referred to committee ....	41 (2)
committee, treated same as other .....	53
considered only on 2nd reading .....	47 (1)
constitution, to .....	47 (2)
2nd consideration, how to amend; see Joint Rule 57 (2)	
distribution of .....	34 (2), 46 (5)
executive veto, bill not amendable .....	47 (5)
form and substance .....	49, 50
germaneness of .....	50
identical in effect with one currently before senate .....	50 (6)
in 3rd or higher degree prohibited .....	51
legislative reference bureau to put in proper form .....	49
motion for previous question, pending and new amendments considered immediately without debate .....	78

not distributed, to be read at length .....	48
not permitted on motion to raise a call .....	85 (5)
offered for purpose of being reproduced, form and contents .....	46 (5)
offered from floor .....	49
offering of, after previous question is ordered, permitted .....	78 (2)
on 3rd reading, bill to be reengrossed .....	40
order of action on .....	47 (4)
question, not changed by amendment adoption .....	55
reading to members, required unless distributed .....	48
received from assembly for concurrence .....	18 (1)
rejection recommended by committee, not reported .....	27 (3)
remain in jacket envelope regardless of action .....	27 (5)
report of committee of conference, may not be amended, <i>see</i> Joint Rule 3 (3)	
revival permitted for amendments rejected by committee .....	27 (3)
speaking on .....	53
substitute, considered only on 2nd reading .....	47 (1)
substitute, <i>see</i> Substitute amendment	
Announcements, adjournment honors, and remarks under special privilege:	
15th order of business .....	17 (1)(o)
Appeal:	
by a member, speaking on, only once, not to exceed 5 minutes .....	7 (1)
debatable .....	7 (1)
decision of presiding officer subject to, by member .....	7 (1)
definition .....	99 (5)
judgment of the senate .....	7 (4)
nondebatable, when .....	68
Appointment, nomination for, by governor or state superintendent:	
action on, not subject to reconsideration .....	22 (2), 67 (7)
may be considered in regular or special session .....	22 (1)
proceedings .....	22
rereference to different standing committee .....	46 (2)(c)
vote on confirmation by ayes and noes, entered on journal .....	22 (2)
Appointment to committee:	
committee of conference members, by president .....	20m
proportional representation on committee .....	20 (2)(c)
special committee, by chairperson of committee on senate organization .....	21
standing committee, by chairperson of committee on senate organization .....	20 (2)
Assembly:	
amendment by assembly to senate proposal or amendment, considered main proposition .....	51
bills may be considered even if identical to rejected senate bill .....	33 (2)
messages from .....	17 (1)(h), 18 (1)
messages to .....	42
Assistant chief clerk, duties and powers .....	5 (3)
Assistant majority leader:	

member of committee on senate organization .....	20 (1)(a) 3
Assistant minority leader:	
member of committee on senate organization .....	20 (1)(a) 5
Attendance, roll call taken under first order of business .....	15
Attestation of documents by chief clerk .....	44
Attire, appropriate, men to wear coats .....	8 (1)
Attorney general, opinion of, date requested and received entered in history file .....	30 (3)(c)
Ayes and noes, <i>see also Quick Finder</i> :	
appeal from decision of presiding officer .....	7 (4)
attendance roll call entered in journal .....	15
call of the senate:	
adjournment under call .....	85 (6)
roll called on motion for .....	84
vote to raise .....	85 (5)
clerk not to be interrupted during calling of .....	8 (3)
committee of the whole, not in order in .....	19
confirmation of appointments .....	22 (2)
demand for, not in order after voice vote result announced .....	72 (3)
governor's or state superintendent's nomination for appointment .....	22 (2)
journal entry of .....	72 (1)
relating clause, when required .....	32 (1)
loitering, visiting at podium, prohibited during roll call .....	8 (3)
member arriving late, may have question stated .....	73 (2)
members not to leave seats nor be disturbed during calling of .....	8 (3)
membership presently serving, majority required for quorum .....	15, 39
presiding officer may order on any vote .....	72 (1)
previous or main question, motion .....	78 (1)
proposal's relating clause to be entered in journal .....	32 (1)
quorum is of membership presently serving .....	15, 39
rules (senate):	
repealing, creating, or amending (majority of membership presently serving) .....	90
suspending (two-thirds of members present) .....	91
voice vote (definition) .....	99 (94)
when demanded by one-sixth of members, <i>see art. IV-20, Wis. Con.</i> .....	72 (1)

## B

Beverages, not to be consumed in senate chamber .....	8 (4)
Bill (definition) .....	99 (7)
Bill or resolution:	
amendment, consideration of, in order only upon 2nd reading .....	47 (1)
amendment, legislative reference bureau prepares, exception .....	49
amendment, reengrossed if amended on 3rd reading .....	40
copies to be available one day before action .....	34 (1)
corrections of minor clerical errors in, by chief clerk .....	31 (1)
date of hearing on, to be entered in history file .....	30 (3)



day bill presented to governor recorded in journal .....	43
distributed at least one day before action .....	34 (1)
division of question, motion for, not permitted when purpose can be accomplished by amendment .....	70
enabling or enacting clause lacking, inserted by chief clerk .....	31 (2)
engrossing .....	37 (3), 40
engrossing and enrolling supervised by chief clerk .....	5 (2)(b), 43
enrolled bill, journal records date presented to governor .....	43
enrolling, performed by legislative reference bureau .....	43
errors in, chief clerk authorized to correct minor .....	31 (1)
filing of proposals .....	30
copies must be in jacket envelope .....	29
jacket envelopes not to be filed if folded or rolled .....	30 (1)
notations in history file by chief clerk .....	30 (2), (3)
handwritten changes prohibited in copies prepared by legislative reference bureau .....	33 (1)
identical with one already rejected not allowed, exceptions .....	33 (2)
introduction of .....	17 (1)(c), 33 (1), 45, 46
jacket envelope .....	30 (1)
to contain all amendments regardless of action .....	27 (5)
journal, references to by number, relating clause .....	32 (1)
jurisdiction over, while in committee .....	25 (2)
legislative reference bureau prepares all proposals for introduction .....	33 (1)
messaging delayed for reconsideration period .....	42 (1)
messaging immediately under suspension of rules .....	42
offering of resolutions .....	33 (1), 45
orders of business .....	17
position of on calendar, when reconsideration motion pending .....	38 (2)
presentation of .....	46 (1)
privileged resolutions .....	69
considered at once .....	45
joint, messaged at once .....	42
read at length unless distributed .....	34 (3)
readings, 3 separate .....	35
amendments considered only on 2nd reading .....	47 (1)
committee on senate organization builds 2nd reading calendar .....	18 (1), 47 (2), (3)
committee reference on first reading .....	36
constitutional amendments, required on joint resolutions for .....	35
ordering to 3rd reading .....	18 (5), 37 (1)
relating clause only, exceptions .....	32 (1)
third reading .....	38
two readings on same day prohibited .....	35
reconsideration period, messaging delayed for .....	42 (1)
reengrossed, if amended on 3rd reading .....	40
reference to committee:	
by president .....	36 (1)

chief clerk advises president .....	46 (2)(a)
made on first reading of proposal .....	36
simultaneous reference to joint survey committee .....	36 (2)(c)
rereference generally, when in order .....	41 (1)
rereference of administrative rule .....	46 (2)(b)
rereference of bill or resolution .....	46 (2)(c)
signed by president and attested by chief clerk after enrolling .....	44
simultaneous reference to joint survey committee .....	36 (2)(c)
special session, <i>see</i> Special session	
withdrawing from committee .....	41 (1)(a)
Budget bill, joint finance committee hearings on .....	26 (2)
Bulletin of proceedings, preparation, <i>see also</i> Joint Rules 76 to 78 .....	22 (2)
Business, <i>see also</i> Order of business:	
for quorum on passage of "fiscal bills", <i>see</i> Joint Rule 11 (2)	
in committees, proceedings .....	25 (1)
orders of .....	17 (1)
other business while under call .....	85 (3)
quorum, is of the membership presently serving required .....	15, 39
roll call, quorum required before proceeding to .....	15
special orders .....	17 (2), (3)
under call of senate, business on which call imposed stops .....	85 (1)
unfinished, of the senate .....	18 (4)

## C

### Calendar:

committee, schedule of activities .....	26 (1)
contents determined by committee on senate organization .....	18 (1)
daily, general rules .....	18
definition .....	99 (8)
furnished to members at least 18 hours ahead of scheduled action on .....	18 (2)
exception for special and extraordinary sessions .....	93 (3)
orders of business on .....	17 (1)
second reading, calendar prepared by committee on senate organization ..	47 (2), (3)
special orders .....	17 (2), (3)
unfinished, taken up after 9th order of current day .....	18 (4)
Call of the roll, <i>see</i> Roll call	
Call of the senate (or "Call of the house") .....	81 to 87
absentees, sergeant to bring in .....	84
adjourn, or adjourn to a certain time permitted .....	85 (1)
adjourn or recess, motion takes precedence .....	85 (5)
concurrent calls .....	85 (2)
definition .....	99 (9)
doors closed during .....	83
ended by adjournment, may be renewed .....	85 (6)
ended when all members present or absent with leave and pending business is disposed of .....	87
in order on any motion or question before the senate, including motion to adjourn (exception) .....	81 (2)

insufficient seconds, renewal only after intervening business .....	82 (2)
intervening business, another call permitted on same question .....	85 (4)
motion to raise call not amendable .....	85 (5)
moved as any other motion, in order anytime before vote is commenced .....	81 (2)
not debatable .....	68, 82 (1)
only one call in order on previous question .....	80
other business, while under, in order .....	85 (3)
purposes .....	81
putting question for .....	82 (1)
raising call, motion carried by majority of members then present .....	85 (5)
renewal of, in order only if other business intervened .....	82 (2)
report of sergeant, accepting .....	86
seconding by 5 members required .....	82
successive calls .....	85 (4)
transacting business while under .....	85 (1), (3)
vote to raise, majority of members then present carries .....	85 (5)
Cancellation of public hearing (immediately notify chief clerk) .....	25 (1)
Certificate under Joint Rule 7, examined for compliance with .....	34 (4)
citation on behalf of the senate .....	98
Certification or citation (definition) .....	99 (10)
Chair (definition) .....	99 (11)
Chairperson of committee:	
designated by majority leader (chairperson of committee on senate organization) .....	20 (2)(a)
determines whether to hold committee hearing .....	25 (1)
files list of scheduled hearings with chief clerk by Monday noon of preceding week .....	26 (1)
joint committees have cochairpersons, <i>see</i> Joint Rule 22 and s. 13.45 (4m), stats.	
joint hearings, <i>see</i> Joint Rule 21	
may agree to rereference of proposal or appointment .....	46 (2)(c)
notifies chief clerk of scheduled hearing .....	26 (1)
of committee on senate organization, approves senate payroll .....	89
signs committee reports .....	27 (1)
Chamber, senate:	
admission to .....	11
definition .....	99 (77)
doors closed when senate under call .....	83
open for use of members, when .....	6 (2)(f)
Chief clerk, <i>see also</i> Wis. Con. XIII-6; ss. 13.15 to 13.17, stats.:	
administrative rule, withdrawn from standing committee: journal entry ...	27 (4)(b)
attests to warrants, writs, and subpoenas .....	44
bulletin of proceedings, supervises preparation of, <i>see also</i> Joint Rules 76 and 78	
corrections to proposals, entered in journal .....	31 (3)
definition .....	99 (12)
duties in general, term of office, assistant .....	5

election, <i>see also</i> s. 13.15 (1), stats. and art. IV-30, Wis. Con.	
enrolling bills, procedure	43
errors in proposals, authorized to correct minor	31 (1)
inauguration day, may preside temporarily	5 (4)
payroll for persons employed by senate, certifies	89
permits no records to be taken from custody of that office	5 (2)(d)
proposals, when announced	46 (1)(d), (2)(d)
reads amendments not yet distributed	48
reads proposals by relating clause	32 (1)
records in journal date enrolled bill is submitted to governor	43
records status of executive appointments	22 (2)
referral of proposals to committee, advises president	46 (2)(a)
report used in lieu of first reading	36 (1m)(a)
specifies documents placed in jacket envelope	30 (2)
superintends journal preparation and engrossing and enrolling of bills and joint resolutions	5 (2)
Citation (definition)	99 (10)
Citation on behalf of the senate	98
Clerical corrections to proposals	31
Coats to be worn while senate sitting in session	8 (1)
Committee:	
absence of members from senate while senate sitting in session, prohibited except for members of committees of conference	23
action relating to, privileged motion or resolution	69
administrative rules review by standing committee:	
objection by standing committee to proposed rule, president refers to JCRAR	4 (2)
report concerning action (or inaction) on proposed rule	17 (1)(g), 27 (2)
rereference of proposed rule to different standing committee	46 (2)(b)
amendments offered by	53
bill to suspend proposed administrative rule: reference to calendar after 30 days	41 (1)(d)
bills withdrawn from	41 (1)
business in, chairperson to schedule hearing early in session	25 (1)
business in, matters within sole jurisdiction of the majority of committee	25 (2)
business reported from, to committee on senate organization	18 (1)
cancellation of hearing (immediately notify chief clerk)	25 (1)
candidates for appointments, to pass on qualifications of	22 (1)
chairperson (definition)	99 (13)
chief clerk specifies documents which may be placed in jacket envelope by	30 (2)
committee of conference, members appointed by president	20m
committee of conference member may be absent while senate sitting in session	23
executive action (definition)	99 (14)
finance, joint ( <i>see also</i> ss. 13.09 to 13.095, 13.10 to 13.11, stats.)	20 (4)
hearing, notice of	25 (1), 26 (1), 93 (2)
public hearings on budget bill	26 (2)
rereferral to	41 (1)(e)

senate committee may return proposal referred by senate .....	20 (4)(b)
hearings held, dates recorded in history file .....	30 (3)(a)
hearings, notice of (announced by Monday noon for next week) .....	26 (1)
jurisdiction over matters referred to .....	25 (2)
meetings, proceedings .....	25
members not to be absent while senate sitting in session, except members of committees of conference .....	23
minority party senators, nominations to .....	20 (2)(b)
motion to commit or refer to, precedence of .....	63 (1)(j), (k)
notice and report re administrative rule, reference to .....	4 (2)
notice of public hearing or cancellation, re proposal or other business .....	25 (1), 26 (1), 93 (2)
objection by standing committee to proposed rule, president refers to JCRAR .....	4 (2)
report concerning action (or inaction) on proposed rule .....	17 (1)(g), 27 (2)
rereference to different standing committee .....	46 (2)(b)
proportional representation on .....	20 (2)(c)
proposals withdrawn from .....	41 (1)
questions relating to reconsideration, vetoes, or concurrence in amendments, not referred to .....	41 (2)
quorum .....	24
reconsideration of action by .....	24
reference or rereference of proposal to .....	41 (1), 63 (1)(j), (k)
removal, resignation .....	5 (1)
report (majority) .....	27
form of .....	27 (1)
minority .....	28
omits amendments recommended for rejection .....	27 (3)
order of business .....	17 (1)(d)
places proposal in committee on senate organization for 2nd reading calendar .....	18 (1), (3), 47 (2)
referred to 2nd reading calendar .....	18 (1), (3), 47 (2)
without recommendation .....	27 (4)(a)
rereference of proposal to, committee may act without reconsidering former actions .....	24
rooms assigned to .....	97
schedule of activities, <i>see also</i> Joint Rule 75 .....	26 (1), 93 (2)
scheduled hearings .....	25
senate organization .....	17 (2), 18, 20 (7), 41 (1)(e), 47 (3), 65 (2), 88, 95-98
business withdrawn from, to calendar .....	41 (1)(c)
special .....	21
standing .....	20
subcommittees: appointment, duties .....	24
tied vote, report without recommendation .....	27 (4)(a)
vacancy on, how filled .....	20 (6)
withdrawing matter from standing committee refers it to committee on senate organization .....	41 (1)(c)

Committee of conference, *see also* Joint Rule 3:

definition .....	99 (14m)
members may be absent while senate is sitting in session .....	23
report, action on .....	18 (1)
president appoints .....	20m
Committee of the whole .....	19
definition .....	99 (15)
Concurrence (definition) .....	99 (16)
Concurrence in assembly amendment to senate proposal:	
question not to be referred to committee .....	41 (2)
Conduct in the senate chamber:	
admission to floor .....	11
ayes and noes, members not to leave seat during calling of .....	8 (3)
coats to be worn .....	8 (1)
disorderly conduct .....	13
eating, smoking, newspaper reading not permitted .....	8 (4), (5)
motives, not to questions .....	56
presiding officer preserves order and decorum .....	7 (1)
proper conduct while presiding officer or member is speaking .....	8 (2)
sergeant at arms supervises admission to chamber .....	6 (2)(c)
words objected to, taken down in writing .....	58
Conference committee, <i>see</i> Committee of conference .....	21m, 23
Confirmation of executive nominations:	
ayes and noes required .....	22 (2)
may be considered in regular or special session .....	22 (1)
not subject to reconsideration .....	22 (2), 67 (7)
Congress, members of, privilege of staff lobby .....	11 (2)
Constitutional amendment: .....	47 (2)
second consideration, how to amend, <i>see</i> Joint Rule 57 (2)	
standing committee, requires reference to .....	36
three readings required .....	35
Contested seat (definition) .....	99 (18)
Contested senate election, floor privilege of contestants .....	12
Copies of proposals to be available at least one day before consideration .....	34
Corrections in proposals by chief clerk .....	31
Current membership determines quorum requirement in most cases;	
for exceptions, <i>see</i> Joint Rule 11 .....	39
definition .....	99 (20)
Current question, motion for .....	77
call of senate in order once on .....	80
main question remains before senate .....	79
not debatable, may not be tabled .....	68, 77 (1)
not in order in committee of the whole .....	19
precedence of motions for .....	63
previous question, motion for .....	77, 78, 79

## D

Daily calendar, *see* Calendar

## Debate:

call of senate .....	82 (1)
conduct of members prescribed .....	56
confined to question .....	56
disorderly words in, recording of .....	58
member may speak:	
on proposal and on each amendment .....	53
only from assigned place .....	59
twice on same question .....	59
motions in order during .....	63
motions or questions decided without .....	68
motives, may not question other members .....	56
not permitted after main question is put, but amendments may still be offered .....	78 (2)
personal privilege, limitations .....	60
personalities in, not allowed .....	56
precluded on all questions by ordering the previous question .....	78 (3)
presiding officer to name first speaker .....	57
reading briefly from printed material permitted unless objected to .....	56
recognition of member before proceeding .....	56
time limits for .....	76, 77 (2)
what motions or questions decided without .....	68
Decorum in the senate chamber:	
admission to floor .....	11
ayes and noes, members not to leave seat during calling of .....	8 (3)
coats to be worn .....	8 (1)
disorderly conduct .....	13
eating, smoking, newspaper reading not permitted .....	8 (4), (5)
presiding officer preserves order and decorum .....	7 (1)
proper conduct while presiding officer or member is speaking .....	8 (2)
sergeant at arms supervises admission to chamber .....	6 (2)(c)
words objected to, taken down in writing .....	58
Dictionary, Webster's current edition to be used .....	31 (4)
Dilatory (definition) .....	99 (22)
Disturbance or disorderly conduct, presiding officer may order clearing of senate floor and lobby .....	13
Division of question, members may call for, when .....	70
definition .....	99 (23)
report of committee of conference not divisible, <i>see</i> Joint Rule 3 (3)	
withdraw from committee and rerefer divisible .....	41 (1)(b)
Documents, signing of by president and attestation by chief clerk .....	44
Drinking, not permitted in chamber .....	8 (4)

## E

Eating, not permitted in chamber .....	8 (4)
Elected membership (definition) .....	99 (24)
Election, contested, floor privilege of contestant .....	12

Election of officers by the senate, *see also* Wis. Con. IV-30, ss. 13.02 (1), 13.13, 13.15 (1), 13.18 (1), stats.:

- chief clerk ..... 5
- president, president pro tempore ..... 1
- sergeant at arms ..... 6
- substitute president ..... 2

Employees:

- coats to be worn by ..... 8 (1)
- employment and supervision ..... 88
- of legislature, admitted to senate staff lobby while performing their duties ... 11 (2)
- payroll certification for ..... 89

- Enacting clause, inserted by chief clerk when omitted ..... 31 (2)
- Engrossed proposal (definition) ..... 99 (25)
- Engrossed publication of senate resolution amending rules ..... 94 (3)(b)
- Engrossed reproduction of amended proposal ..... 30 (3)(d)
- Enrolled proposal (definition) ..... 99 (26)
- Enrolling bills and resolutions ..... 43
- Executive nominations for appointment ..... 22
- Explanation of member's vote, not allowed during roll call ..... 74
- Expunge (definition) ..... 99 (27)
- Extraordinary, extended, or special session, rules modified for ..... 93
  - committees permitted to introduce or offer proposals ..... 93 (1p)
  - definition ..... 99 (27m)
  - proposal within call ..... 93 (1)

**F**

- Filing of proposals ..... 30
- Finance; committee on (*see also* ss. 13.09 to 13.095, 13.10 to 13.11, stats.) ..... 20 (4)
  - public hearings on budget bill ..... 26 (2)
  - referral to committee on senate organization ..... 41 (1)(e)
  - senate committee may return proposal referred by senate ..... 20 (4)(b)
- First reading of proposals ..... 36
  - chief clerk's report used in lieu of ..... 36 (1m)(a)
  - journal record of introduction, on day senate does not meet, constitutes first reading ..... 36 (1m)(b)
  - simultaneous reference to joint survey committee ..... 36 (2)(c)
- Fiscal estimate (definition), *see also* Joint Rules 41 to 50 and 13.093 (2), stats. .... 99 (30)
- Floor amendment (definition) ..... 99 (30)
- Floor leaders, *see also* Majority leader:
  - may schedule time limit for debate ..... 76
  - members of committee on senate organization ..... 20 (1)
- Floor of the senate:
  - contestants for seats admitted to ..... 12
  - correspondents of news media admitted, limited to press lobby while the senate is sitting in session ..... 11 (5)
  - definition ..... 99 (29m)
  - denied to person engaged in defeating or promoting legislation ..... 11 (3), (4)



disturbance on, and clearing of .....	13
floor access limited to governor, lieutenant governor, members of legislature, certain senate staff .....	11 (1)
invitees of committee on senate organization admitted to .....	11 (6)
legislative employees, admitted to staff lobby while performing their duties ..	11 (2)
staff lobby access granted to state officers, members of congress, supreme court justices, former legislators, and others .....	11 (2)

## G

Gallery, disturbance in, and clearing of .....	13
Germaneness:	
amendments must be germane to proposal .....	50
definition .....	99 (31)
motions must be germane to current question .....	52
presiding officer rules on .....	50 (2)
question of, when may be considered .....	50 (3)
Governor:	
admitted to senate floor during session .....	11 (1)
enrolled bills submitted to .....	43
nominations for appointment .....	22
reference of, to committee .....	22 (1)
report on, by committee .....	22 (1)
senate notification of final action .....	22 (2)
veto, action on, how scheduled .....	18 (1)
veto, messages of, read at length unless distributed .....	34 (3)
veto, question relating to, not to be referred to committee .....	41 (2)
Gubernatorial and state superintendent nominations for appointment .....	22
Guests:	
introduction of, limited to persons of unusual achievement .....	17 (4)
journal record of introduction .....	32 (2)
visitors, journal record .....	32 (2)

## H

Hearing (definition) .....	99 (32)
Hearings:	
budget bill, may be held in week after budget message .....	26 (2)
cancellation of scheduled hearings, notice of .....	25 (1)
committee, schedule of activities .....	26 (1)
date of, to be noted in history file .....	30 (3)(a)
list of, filed with the chief clerk (Monday noon) .....	26 (1)
publishing notice of, in schedule of committee activities .....	26 (1), 93 (2)
time and place of, posting on bulletin boards .....	25 (1), 93 (2)
History (definition) .....	99 (33)
History file:	
chief clerk directs recording of all significant action on proposal .....	30 (3)
definition .....	99 (33m)
Hour for meeting of daily session (usually 10 a.m. on Tuesday and Thursday) .....	14

## I

Improper language in debate .....	58
Incidental motions and requests (definition) .....	99 (34)
Indefinite postponement:	
definition .....	99 (35)
motion not permitted twice on same day at same stage of proposal .....	66
precedence of motion .....	63 (1)(m)
reference to committee after, not in order .....	41 (2)
when committee recommends, question must be first put .....	55
Interpretation of senate rules .....	7 (3)
Introduction of proposals .....	33
definition .....	99 (36)
handwritten changes prohibited in proposal submitted for introduction .....	33 (1)
Item veto, <i>see</i> veto	

## J

Jacket envelope:	
contains only documents specified by chief clerk .....	30 (2)
legislative reference bureau must enter relating clause and drafting number .....	30 (2)
must contain copies of proposal .....	29
Joint convention (definition), <i>see also</i> Joint Rule 1 .....	99 (37)
Joint hearing (definition) .....	99 (38)
Joint legislative council, not to be deemed a legislative committee ( <i>see also</i> ss. 13.81 to 13.83, 13.91, stats.) .....	41 (3)
Joint resolution, <i>see also</i> Bill or resolution; or Resolution:	
constitutional amendment, 3 readings required .....	35
constitutional amendment on 2nd consideration, how to amend; <i>see</i> Joint Rule 57 (2)	
definition .....	99 (39)
enrolling of .....	43
one day lay-over required unless privileged under rule 69 .....	34 (1)
privileged, messaged immediately upon adoption .....	42 (1)
received from assembly, consideration proper even if identical senate proposal rejected .....	33 (2)
rereference to different standing committee .....	46 (2)(c)
standing committee, reference to not required (except amendment to constitution) .....	47 (3)
Joint rules (definition) .....	99 (40)
Joint session (definition), <i>see also</i> Joint convention .....	99 (37)
Journal, <i>see also</i> Wis. Con. IV-10:	
absentees during call of senate, names to be entered on .....	84
committee minority reports to be entered at length .....	28
correction in any proposal, noted in .....	31 (3)
decisions on points of order to be entered .....	7 (4)
definition .....	99 (41)
points of order entered on .....	7 (5)

position, statement of, by member absent with leave ..... 75  
 record of introduction of guests, other visitors ..... 32 (2)  
 records date enrolled bill is presented to governor ..... 43  
 reference to proposals by number, by relating clause ..... 32 (1)  
 roll call of attendance to be entered on ..... 15  
 suspension of administrative rules, bill withdrawn from standing  
     committee: journal record of ..... 27 (4)(b)  
 Judgment of the senate, on appeal from ruling ..... 7 (4)

**L**

Lay on table:  
     effect of ..... 65  
     motion not debatable ..... 68  
     motion may not be laid on table ..... 68  
     precedence of motion ..... 63 (1)(f)  
     refers matter to committee on senate organization ..... 65 (2)  
 Leadership committee (committee on senate organization) ..... 20 (1)  
 Leave (definition) ..... 99 (42)  
 Leave of absence:  
     committee of conference members, leave granted by rule ..... 23  
     employees, compensation ..... 88 (3)  
     granting under call ..... 85 (7)  
     members ..... 16  
     members of a committee, special leave ..... 23  
     motion for call of senate not proper on request for leave while senate  
         under call ..... 85 (2)  
     motion to grant leave not debatable ..... 68  
     not cancelable after call of senate is ordered ..... 85 (7)  
     position on issue, statement of, by absent member ..... 75  
     under call of senate, prior leave expires upon return ..... 85 (7)  
 Leaving chamber, not permitted to senator while presiding officer is speaking ... 8 (2)  
 Legislative council, joint, not to be deemed a legislative committee  
     (see also ss. 13.81 to 13.83, 13.91, stats.) ..... 41 (3)  
 Legislative day ..... 99 (43)  
 Legislative fiscal bureau, when prepare fiscal estimates ..... 96  
 Legislative reference bureau (see also ss. 13.90 and 13.92, stats.):  
     enrolling of bills and resolutions ..... 43  
     prepares all amendments; exception ..... 49  
     provides jacket envelopes ..... 30 (1)  
     puts all proposals in proper form ..... 33 (1)  
 Lobby, galleries, and floor, disturbance in, and clearing of ..... 13  
 Lobbying, regulation of ..... 6 (2)(d), 11  
 Lobbyists, denied privilege of senate floor ..... 11 (3), (4)

**M**

Main question ..... 77 (3), 78, 79  
     definition ..... 99 (44)

## Majority:

definition .....	99 (45)
of membership presently serving, required for quorum, see also Senate Rule 39 .....	15
of members currently present, may adjourn under call .....	85 (6)
of members currently present, required to raise a call .....	86
two-thirds of members present, required to suspend rules .....	91

## Majority leader:

assumes powers of president when president and president pro tem are unable to serve .....	3
chairperson of committee on senate organization .....	20 (1)(a)
appoints special committees .....	21
appoints standing committee members and chairpersons .....	20 (2)
approves senate payroll .....	89

## Manual, published by chief clerk as directed by senate committee

on organization .....	94 (1)
definition .....	99 (46)

## Measure (definition) .....

99 (48m)

## Meeting day, hour for (usually 10 a.m. on Tuesday and Thursday) .....

14

## Member:

absent with leave, statement of position on issue .....	75
call of senate, 5 members may make .....	81 (1)
citation, may issue on behalf of senate .....	98
citation, may sign .....	98 (3)
coats, must wear while senate sitting in session .....	8 (1)
conduct while senate sitting in session .....	8
definition .....	99 (47)
explanation of vote, not allowed during roll call .....	74
former member, privilege of senate floor, limitation .....	11 (2), (3), (4)
leave of absence from daily session .....	16
may not eat, drink, smoke, or read newspapers in chamber .....	8 (4), (5)
may not question motives of other members .....	56
may read briefly from printed material unless objected to .....	56
may speak on question and on each amendment .....	53
may speak twice on pending question .....	59
membership presently serving, majority of constitutes quorum .....	15
must vote if present unless excused .....	3m, 73 (1)
occupying chair, not excused from voting .....	3m
out of order, to cease speaking .....	58
personal privilege, right to speak on matter of .....	60
present (definition) .....	99 (48)
presentation of documents to senate by .....	46 (1)
recognition of, to speak .....	56
room and seat assignments .....	97
serves on at least one committee .....	20 (5)
smoking, not permitted in chamber .....	8 (4), (5)
special privilege, right to speak on matter of .....	61

substitute president .....	2
not to extend beyond adjournment .....	2 (3)
to vote, if present required to unless excused .....	73 (1)
two or more rising at same time, presiding officer to name first speaker .....	57
vote, may not explain during roll call .....	74
Membership presently serving determines quorum requirements;	
for exceptions <i>see</i> Joint Rule 11 .....	39
Messages:	
bills and joint resolutions passed .....	42, 93 (6)
from the assembly .....	17 (1)(h), 18 (1)
immediate messaging, motion to rescind (two-thirds vote required) .....	42 (2)
proposals read by number only (exception) .....	32 (1)
transmitted to assembly after reconsideration period ends .....	42
veto read at length unless written copies distributed .....	34 (3)
Minority:	
committee appointments, nominations proposed by minority leader .....	20 (2)(b)
power of, to adjourn or to send for absent members .....	15, 81 (1)
report by committee .....	28
Motions:	
adjourn, not debatable, may not be tabled .....	68
adjourn, precedence of .....	63, 64
all motions to be entered in history file .....	30 (3)(b)
call of the senate .....	82
current or previous question .....	77
definition .....	99 (49)
delete and substitute, not divisible .....	70
division .....	70
entered under 14th order of business .....	17 (1)(n)
germaneness to business under consideration required .....	52
lay on the table, not debatable, may not be tabled .....	68
lay on the table, refers matter to committee on senate organization .....	65 (2)
lost by adjournment .....	59
not debatable, which are .....	68
offered under 14th order of business .....	17 (1)(n)
postpone indefinitely, reject, or nonconcur, precedence of .....	63 (1)(m)
postpone, not again allowed on same day, except when .....	66
postpone, not permitted in extraordinary or special session .....	93 (5)
postpone to a day certain, precedence of .....	63 (1)(i)
precedence of .....	63
presiding officer to state .....	62
previous question, precedence of .....	63 (1)(g)
privileged, during debate .....	63 (1)(d)
raise a call of the senate, not amendable .....	85 (5)
recess, not debatable, may not be tabled .....	68
recess or adjourn, precedence of, under call of senate .....	85 (5)
reconsider, to .....	67
not applicable to nominations for appointment .....	22 (2), 67 (7)

not applicable to suspension of rules .....	67 (7)
not applicable to vetoes .....	67 (7)
permitted in committee, before report to senate .....	24
refer or reject, not allowed twice on same day, except when .....	66
refer, precedence of .....	63 (1)(j), (k)
rerefer, withdraw and, question divisible .....	41 (1)(b)
stated or read previous to debate .....	62
suspend rules .....	91
table .....	63, 65, 68
take from table, places matter on calendar .....	65 (3)
which are not debatable, may not be placed on table .....	68
withdraw from and rerefer to committee, in order but divisible .....	41 (1)(b)
withdrawn, by consent of senate may be .....	62, 67 (8)
written on demand by member (except adjourn, postpone, refer) .....	62
Motives, not to question .....	56

## N

News media correspondents limited to press lobby while the senate is sitting in session .....	11 (5)
Newspapers, reading not permitted in chamber .....	8 (4)
Nonconcurrence (definition) .....	99 (50)
Nondebatable motions and questions .....	68
Notice of committee hearing (or cancellation), on bulletin boards .....	25 (1)

## O

Offer (definition) .....	99 (50m)
Offering of resolutions .....	33 (1), 45
Officers:	
president, president pro tempore, chief clerk, sergeant at arms .....	1 to 6
substitute president, member serving as .....	2 (3)
Opinion of attorney general, date requested and received entered in history file .....	30 (3)(c)
definition .....	99 (51)
Order and decorum:	
disorderly conduct of member during session .....	58
enforcement of, duties of sergeant at arms .....	6
floor privilege .....	11, 12
lobby or senate floor, disturbance in, and clearing of .....	13
members not to leave senate, when .....	8 (2)
presiding officer to preserve .....	4 (1)(f), 7 (1)
reading newspapers, smoking, eating, drinking not permitted in chamber .....	8 (4), (5)
while ayes and noes are being called .....	8 (3)
Order of business:	
committee of the whole .....	19
daily calendar .....	18 (1)
hour of meeting (usually 10 a.m. on Tuesday and Thursday) .....	14

roll call of attendance, majority required for business .....	15
Organization; committee on senate:	
absent member, temporary replacement .....	20 (7)
calendar, contents determined by .....	18 (1), 47 (2), (3)
chairperson:	
appoints members and chairpersons of committees .....	20 (2), 20m
approves senate payroll .....	89
certificates under Joint Rule 7, examinations for compliance with .....	34 (4)
citations on behalf of the senate, approval by .....	98
copying for senate, authorizes .....	95
employees of senate, general supervision of .....	88
extraordinary or special session, recommends proposals for introduction .....	93 (1)
invite persons on the floor of the senate .....	11 (6)
membership .....	20 (1)
motion to withdraw from, matter goes to calendar .....	41 (1)(c)
rerefer to joint committee on finance .....	41 (1)(e)
room and seat assignments to members .....	97
senate officers subordinate to .....	1m (2)
special order of business, may schedule .....	17 (2)
standing committees, created .....	20 (1)(c)
temporary replacement for absent member .....	20 (7)
time limits for debate, may schedule .....	76
Organization of senate, resolutions pertaining to privileged .....	69

## P

Pair (definition) .....	99 (52)
Parliamentary inquiry (definition) .....	99 (53)
Parliamentary law and procedure, decisions of presiding officer based on .....	7 (3)
Partial veto, <i>see</i> veto	
Passage, reference to committee not in order after .....	41 (2)
definition .....	99 (54)
Payroll, certification of employees .....	89
Personal privilege, right to speak on matter of .....	60
Petitions:	
definition .....	99 (55)
presentation of, by member .....	46 (1)
read by title only .....	46 (4)
Pledge of allegiance .....	17 (1)
Points of order:	
appeal by a member .....	7 (1), (4)
appeal nondebatable, may not be laid on table .....	68
definition .....	99 (56)
entry of, in journal .....	7 (5)
presiding officer decides subject to judgment of senate .....	7 (1), (4)
ruling on, by presiding officer within required time .....	7 (2), 93 (4)
sources of parliamentary law to be consulted .....	7 (3)
Position, statement of, by member absent with leave .....	75

## Postpone:

indefinitely, motion may not be repeated, except when .....	66
indefinitely, reference to committee after, not in order .....	41 (2)
motion not permitted twice on same day at same stage of proposal .....	66
not in order in committee of the whole .....	19
not in order in extraordinary or special session .....	93 (5)
precedence of motion to .....	63 (1)(i), (m)
when committee recommends, question must be first put .....	55
Prayer .....	17 (1)
Precedence of motions .....	63
Precedent (definition) .....	99 (57)
President, <i>see also</i> presiding officer:	
administrative rule notice or report, refers to committee .....	4 (2)
appoints committees of conference .....	20m
bills and resolutions enacted by senate, signs .....	1 (2)
certificates issued on behalf of legislature, approves .....	34 (4)
citations issued on behalf of the senate, signs .....	98 (3)
definition .....	99 (57d)
duties .....	4
election, powers, and prerogatives .....	1
member of committee on senate organization .....	20 (1)(a), (b)
refers proposals and appointments to committee .....	22 (1), 36, 46
serves as presiding officer .....	1 (2)
substitute, when president is absent .....	2
writs, warrants, and subpoenas issued by order of senate, signs .....	44
President pro tempore:	
assumes duties of president (except rule 4) in president's inability to serve .....	3
definition .....	99 (57m)
election powers, prerogatives .....	1, 3, 4
presides when president is absent .....	2 (1)
Presiding officer, <i>see also</i> president:	
call of the senate, state question .....	82 (1)
decorum and order, <i>see</i> Decorum in the senate chamber	
definition .....	99 (57p)
disturbance or disorderly conduct, may order clearing of floor and lobby .....	13
germaness of amendments, rules on .....	50 (2)
names first speaker in debate .....	57
personal, a special privilege, grants permission to speak on .....	60, 61
points of order, decides subject to judgment of senate .....	7
preserves order and decorum .....	7 (1), 58
roll call, may order on any vote .....	72 (1)
when required; <i>see also Quick Finder</i>	
stand for the senate .....	1m
states motions .....	62, 82
time limit for debate, may schedule .....	76
voting by .....	3m
Press, radio, and TV, correspondents admitted to chamber .....	11 (5)



Previous question, motion for .....	77, 78, 79
call of senate in order only once, on this motion .....	80
current question, motion for .....	77 (1)
definition .....	99 (58)
main question remains before senate .....	79
not debatable .....	68
not in order in committee of the whole .....	19
precedence of motions for .....	63 (1)(g)
Printed material, reading from, in debate .....	56
Printing, <i>see</i> reproduction of documents	
Privilege, personal or special .....	60, 61
Privileged motions, questions, and resolutions:	
definition .....	99 (59)
need not lie over for consideration .....	69
precedence of .....	63 (1)(d)
relating to organization or proceedings of the senate are .....	69
resolutions to be read at length unless distributed .....	34 (3), 45
Proceedings, resolutions pertaining to senate, privileged .....	69
Proportional representation on committees .....	20 (2)(c)
Proposal (definition) .....	99 (60)
Public hearing:	
budget bill, may be held in week after budget message .....	26 (2)
cancellation of scheduled hearings, notice of .....	25 (1)
committee, schedule of activities .....	26 (1)
date of, to be entered in history file .....	30 (3)(a)
list of, filed with the chief clerk (Monday noon) .....	26 (1)
public hearing by 2-way audiovisual transmissions .....	24
publishing notice of, in schedule of committee activities .....	26 (1), 93 (2)
time and place of, posting on bulletin boards .....	25 (1), 93 (2)

## Q

Question:	
amendments and substitutes amendments, sequence of consideration .....	47 (4)
appeal from decision of presiding officer .....	7 (1), (4)
before senate, not changed by motion for previous question .....	79
call of senate, form of putting motion .....	82 (1)
committee recommendation not changed by adoption of amendment .....	55
current, motion for .....	77
definition .....	99 (61)
division of .....	70
how question is stated .....	71
lost by adjournment .....	59
not debatable, which are .....	68
presiding officer states, members not to cross floor while .....	8 (2)
previous, motion for .....	77, 78
privileged, which are .....	69
recommendation of committee, adoption of amendments does not change .....	55

remarks to be confined to question under debate .....	56
<b>Quorum, see also Quick Finder:</b>	
definition .....	99 (62)
“fiscal bills”, passage of, see Joint Rule 11 (2)	
lack of, suspends further business .....	15
mandatory before any business conducted .....	15
members present may procure or adjourn .....	15
membership presently serving as basis for .....	39
membership presently serving, majority of required .....	15
public hearing by 2-way audiovisual transmissions .....	24

## R

Radio, press, and TV, correspondents admitted to chamber .....	11 (5)
<b>Reading:</b>	
amendments not yet distributed .....	48
newspapers, not permitted in chamber .....	8 (4)
petitions by title only .....	46 (4)
printed material in debate .....	56
privileged resolution when text not distributed .....	34 (3)
three separate, each on a different day .....	35
veto message when text not distributed .....	34 (3)
<b>Recalling proposal from assembly, enrolling, or governor:</b>	
reconsideration motions .....	67 (7)
<b>Recess:</b>	
committee of the whole, no power to .....	19
definition .....	99 (63)
motion not debatable .....	68
precedence of motion to .....	63 (1)(e)
when under call .....	85 (5)
<b>Recognition of member seeking floor, by presiding officer .....</b>	<b>56, 57</b>
<b>Reconsideration, motion for .....</b>	<b>67</b>
definition .....	99 (64)
may be laid on table without debate, if debatable .....	67 (4), 68
may be made in committee .....	24
motion lost by adjournment if made on same day .....	67 (6)
not debatable when question reconsidered is not debatable .....	68
not proper on executive appointments or vetoes .....	22 (2), 67 (7)
not proper on suspension of rules .....	67 (7)
of main or previous question .....	78 (3)
proposal recalled for further action, entering reconsideration motions .....	67 (7)
proposals to be messaged, held for period allowed for motion for .....	42 (1)
questions relating to, not to be referred to committee .....	41 (2)
received under any order of business .....	67 (3)
subsequent motion for reconsideration of same action .....	67 (9)
withdrawing permitted only during proper time for offering motion .....	67 (8)
<b>Records, chief clerk has custody of .....</b>	<b>5 (2)(d)</b>
<b>Reference to committee:</b>	

in order at any time previous to passage .....	41 (1)(a)
not permitted for assembly amendments to senate proposals, questions concerning vetoes .....	41 (2)
of proposals on first reading .....	36
report, proposal is on 2nd reading .....	18 (3), 47 (2), (3)
rereference to different standing committee .....	46 (2)(c)
rereference to joint committee on finance .....	41 (1)(e)
simultaneous reference to joint survey committee .....	36 (2)(c)
Reference to committee on senate organization for calendar scheduling .....	18 (1), 47 (2), (3), 65 (3)
Regular order of business .....	17 (1)
definition .....	99 (65)
Regular session (definition) .....	99 (66)
Reject, motion to may not be repeated, except when .....	66
definition .....	99 (67)
Relating clause of proposal, when clerk to read .....	32 (1)
Remain informal (definition) .....	99 (68)
Report of committee to senate:	
form of report (majority) .....	27 (1)
minority .....	28
order of business .....	17 (1)(d)
places proposal in committee on senate organization for 2nd reading calendar .....	18 (1), 47 (2), (3)
without recommendation .....	27 (4)(a)
Representatives to the assembly, admitted to senate floor while senate sitting in session .....	11 (1)
Reproduction of documents:	
amendments .....	34 (2), 46 (5)
bills, joint resolutions, resolutions .....	34 (1), 46 (5)
rules and manual .....	94
senate publications generally .....	95
veto message .....	34 (3)
rereferral to joint committee on finance .....	41 (1)(e)
Request (definition) .....	99 (69)
Rescind (definition) .....	99 (70)
Resolution, <i>see also</i> Bill or resolution; or Joint resolution:	
certain resolutions, consideration of permitted in special session .....	93 (1d)
definition .....	99 (71)
privileged, need not lie over for consideration .....	69
privileged, to be read at length unless distributed .....	34 (3), 45
rereference to different standing committee .....	46 (2)(c)
standing committee, reference to not required (except for amendments to constitution) .....	47 (3)
to amend senate rules, how published .....	94 (3)
unless privileged under rule 69, to be on file one day before consideration ....	34 (1)
Review of administrative rules, <i>see</i> administrative rules, review of, <i>see also</i> committee, <i>see also</i> s. 13.56, stats.	
Revival of amendment rejected by committee .....	27 (3)

Roll call, *see also Quick Finder.*

appeal from decision of presiding officer .....	7 (4)
attendance roll call entered in journal .....	15
call of the senate:	
adjournment under call .....	85 (6)
roll called on motion for .....	84
vote to raise .....	85 (5)
chief clerk not to be interrupted during calling of .....	8 (3)
committee of the whole, not in order in .....	19
day, roll call (definition) .....	99 (73)
demand for, not in order after voice vote result announced .....	72 (3)
“fiscal bills”, required for, <i>see</i> Joint Rule 11	
governor’s or state superintendent’s nomination for appointment .....	22 (2)
journal entry of .....	72 (1)
relating clause, when required .....	32 (1)
loitering, visiting at podium, prohibited during roll call .....	8 (3)
member arriving late, may have question stated .....	73 (2)
members not to leave seats nor be disturbed during calling of .....	8 (3)
membership presently serving, is basis required for quorum .....	15, 39
presiding officer may order on any vote .....	72 (1)
previous or main question, motion .....	78 (1)
proposal’s relating clause to be entered in journal .....	32 (1)
quorum is based upon membership presently serving .....	15, 39
rules (senate):	
repealing or amending (majority of membership presently serving) .....	90
suspending (two-thirds of members-present) .....	91
vote, roll call (definition) .....	99 (74)
when demanded by one-sixth of members .....	72 (1)
Rules, administrative, <i>see</i> administrative rules, review of	
Rules of proceedings (definition) .....	99 (75)
Rules of the senate:	
authority and interpretation, <i>see</i> art. IV, sec. 8, Wis. Con. ....	92
continuity of, at commencement of biennial session .....	92
creating, amending, repealing of .....	90
enforcement of, duties of president and presiding officer .....	4, 7
enforcement of, duties of sergeant-at-arms .....	6, 83
manual of senate, published by chief clerk .....	94 (1)
one week’s notice to repeal or amend .....	90
rules of senate, how published .....	94 (1), (3)
special or extraordinary session, modifications for .....	93
suspension of:	
immediate messaging of completed business .....	42 (1)
motion not debatable .....	68
reconsideration not proper .....	67 (7)
two-thirds vote of members present required unless unanimous consent .....	91
Rulings of presiding officer:	
appeal, ayes and noes required .....	7 (4)

definition .....	99 (76)
entered in journal .....	7 (5)
under advisement .....	7 (3)

## S

Schedule of committee activities .....	26, 93 (2)
Scheduling committee (committee on senate organization) .....	18 (1)
Second reading and amendment of proposals .....	37
amendment rejected by committee may be revived .....	27 (3)
Senate, call of .....	81 to 87
not debatable, may not be tabled .....	68
Senate chamber .....	99 (77)
Senate, citations on behalf of .....	98
Senate organization; committee on:	
absent member, temporary replacement .....	20 (7)
calendar, contents determined by .....	18 (1), 47 (2), (3)
chairperson:	
appoints members and chairpersons of committees .....	20 (2), 20m
approves senate payroll .....	89
certificates under Joint Rule 7, examinations for appropriateness .....	34 (4)
citations on behalf of the senate, approval by .....	98
copying for senate, authorizes .....	95
employees of senate, general supervision of .....	88
invite persons on the floor of the senate .....	11 (6)
membership .....	20 (1)
motion to withdraw from, matter goes to calendar .....	41 (1)(c)
rereferral to joint committee on finance .....	41 (1)(e)
room and seat assignments to members .....	97
senate officers subordinate to .....	1m (2)
standing committees, creates .....	20 (1)(c)
temporary replacement for absent member .....	20 (7)
time limits for debate, may schedule .....	76
Sergeant at arms:	
absentees, to bring in .....	84
call of senate, to close doors and keep members in chamber .....	83
definition .....	99 (78)
in general, term of office .....	6
may report at any time on proceedings under a call .....	86
report that all members are present or absent with leave, completion of pending business raises call .....	87
Session (meeting) days, usually start at 10 a.m. on Tuesday and Thursday .....	14
Signing of documents by president .....	44
Sine die adjournment (definition) .....	99 (79)
Smoking, not permitted in senate chamber .....	8 (4), (5)
Speaking:	
how members may speak .....	56, 59
limited to subject under debate, personalities to be avoided .....	56

member may speak on proposal and on each amendment .....	53
motives, not to question .....	56
on appeal from decision of presiding officer, limited to 5 minutes .....	7 (1)
prohibited when member is called to order .....	58
recognition prerequisite .....	56
Special committee, appointment, chairperson .....	21
Special orders of business:	
consideration of, not to be interrupted by arrival of time for another .....	17 (2), (3)
definition .....	99 (83)
how established .....	17 (2)
priorities of .....	17 (2), (3)
Special privilege:	
not to be granted when any other matter is pending .....	61
remarks made under 15th order of business .....	17 (1)(o)
subjects of discussion allowed .....	61
Special session:	
certain resolutions not limited by governor's call .....	93 (1d)
committees permitted to introduce or offer proposals .....	93 (1p)
definition .....	99 (84)
executive nominations for appointment may be considered .....	22 (1)
generally .....	93
proposals within call .....	93 (1)
Stage (definition) .....	99 (85)
Standing committees:	
chairpersons and members appointed by majority leader .....	20 (2)(a)
definition .....	99 (86)
proportional representation on .....	20 (2)(c)
State officers, admitted to senate staff lobby while the senate is sitting in session .....	11 (2)
State superintendent of public instruction:	
nominations for appointment .....	22
reference of, to committee .....	22 (1)
report on, by committee .....	22 (1)
Stating motions .....	62
Subcommittee: appointment, duties .....	24
Subpoena, signed by president and attested by chief clerk .....	44
Subsidiary motions (definition) .....	99 (87)
Substitute amendment:	
adoption of, written copies required .....	34 (2)
constitutional amendments on 2nd consideration, <i>see</i> Joint Rule 57 (2)	
definition .....	99 (88)
may be considered only on 2nd reading .....	47 (1)
must be germane .....	50 (1), (2), (6)
order of consideration .....	47 (4)
used as the proposal (without engrossing) if adopted without amendment .....	40
Substitute presiding officer, not excused from voting .....	3m
Suspending rules, two-thirds vote of members present required unless unanimous consent given .....	91

definition .....	99 (90)
not subject to motion for reconsideration .....	67 (7)
question acted on without debate, may not be tabled .....	68

## T

### Table:

motion to place on, precedence of .....	63 (1)(f)
motion to place on, returns matter to committee on senate organization .....	65 (2)
motion to remove from, places matter on calendar .....	65 (3)
motions to place on, or remove from, not debatable, may not be tabled .....	68
Temporary presiding officer .....	2
Third degree of amendment, prohibited .....	51
Third reading .....	18 (5), 38
Three readings of bills and certain joint resolutions, on 3 separate days .....	35
Time limit for debate, how scheduled .....	76
Tobacco products, not to be consumed in senate chamber .....	8 (4)
Transmittal of proposal to assembly .....	42
Two-thirds vote required:	
exception to two-thirds requirement .....	93 (6)
not required for reconsideration .....	67 (2)
to suspend rules .....	91
to withdraw from committee after first motion fails .....	41 (1)(b)

## U

### Unanimous consent, *see also* Suspending rules:

definition .....	99 (92)
to immediately message senate action .....	42 (1)
to suspend rules, as alternative to two-thirds vote .....	91
Unfinished calendar, taken up after 9th order of current day .....	18 (4)

## V

Vacancy in office of president .....	3
--------------------------------------	---

### Veto:

action on, how scheduled .....	18 (1)
action on, not subject to reconsideration .....	67 (7)
amendment of bill not in order upon consideration of .....	47 (5)
definition .....	99 (93)
question relating to, not to be referred to committee .....	41 (2)
read at length unless copies distributed .....	34 (3)
Visitors, how recorded in journal .....	32 (2)

### Voice vote:

definition .....	99 (94)
how question is stated .....	71
used unless roll call requested or required .....	78 (1)

### Voting, *see also Quick Finder.*

absent member, position may be recorded (but not, counted in outcome) .....	75
ayes and noes, presiding officer may order for any vote .....	72 (1)

cannot be called for, when ..... 19, 72 (3)  
 conduct of members during calling of ..... 8 (3), 72 (2)  
 may be demanded by one-sixth of members present ..... 72 (1)  
 member arriving late, may have question stated and be counted ..... 73 (2)  
 two-thirds of members present required to suspend rules unless  
 unanimous consent given ..... 91  
 commenced, call of senate cannot be made after ..... 81 (1)  
 explanation of a member's vote, not allowed during roll call ..... 74  
 members present must vote unless excused ..... 3m, 73 (1)  
 right of member to have question stated, when ..... 73 (2)  
 substitute president not excused from ..... 3m

**W to Z**

Warrants issued by senate, signed by president and chief clerk ..... 44  
 Webster's dictionary, current edition standard on language usage ..... 31 (4)  
 Whole, committee of the, proceedings ..... 19  
 Withdraw:  
     from committee ..... 41  
     pending motion ..... 62  
     reconsideration motion ..... 67 (8)  
 Without recommendation, committee report ..... 27 (4)(a)  
 Witness: subpoena signed by president and attested by chief clerk ..... 44  
 Writs issued by senate, signed by president and chief clerk ..... 44  
 Yeas and nays, *see* ayes and noes



Quick Finder:

**QUORUM  
ROLL CALL  
MAJORITY**

**Quorum**

A majority of the current membership of the senate constitutes a quorum for the transaction of business unless a higher number is required by the state constitution, law, or legislative rule. Senate Rules 15 and 39 and Joint Rule 11 (1). Less than a quorum may adjourn or order a call of the senate. See Wis. Con. IV-7 and Senate Rule 15.

**Three-fifths** of the members elected (20 senators) is the quorum for final passage of "fiscal bills"; Wis. Con. VIII-8. Consequently, the minimum majority for approval of "fiscal bills" is 11 senators.

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 senate may decide any question by a voice vote unless a roll call is ordered by the presiding officer or at the request of one-sixth of the senators present (Senate Rule 72 (1) and Wis. Con. IV-20), or is required by the state constitution, law, or legislative rule. A roll call vote, with the ayes and noes entered in the journal, is required for any senate decision that needs a special QUORUM or a special MAJORITY for final determination. In addition, roll call votes are required for:

Adjournment or adjournment to a time certain under call; Senate Rule 85 (1).

Appeal from ruling of presiding officer; Senate Rule 7 (4).

Conference committee report, vote to approve; Joint Rule 3 (1)(c).

Election by the legislature; Senate Rules 1, 5, 6, Wis. Con. IV-30.

Ending debate by motion; Senate Rule 78 (1).

Governor's or state superintendent's nomination for appointment; Senate Rule 22 (2).

Raise a call of the senate; Senate Rule 85 (5)

Ratify amendment to U.S. constitution; Joint Rule 58 (2).

## Majority

The senate may decide any question by a majority of a quorum (Senate Rule 15 and Joint Rule 12 (1)) unless a higher vote total is required for final approval by the state constitution, law, or legislative rule (Senate Rule 39 and Joint Rule 12).

**Three-fourths of all the members elected to both houses:**

Increased retirement fund benefits, approval of bill to grant; Wis. Con. IV-26 (3).

**Two-thirds of all the members elected (22 senators):**

Expulsion of an elected senator; Wis. Con. IV-8.

Removal of justice or judge by address; Wis. Con. VII-13.

**Two-thirds of members present:**

Impeachment, trial of; Wis. Con. VII-1.

Message to assembly, rescind motion; Senate Rule 42 (2).

Rules, suspension of; Senate Rule 91.

Veto, passage notwithstanding governor's objections; Wis. Con. V-10.

**Majority of all the members elected (17 senators):**

Bonded indebtedness, authorizing; Wis. Con. VIII-7.

Constitutional amendment, approval on first or 2nd consideration; Wis. Con XII-1 and Joint Rule 12 (2)(f).

Debt for extraordinary expenditures; Wis. Con. VIII-6.

**Majority of three-fifth of all the members elected (see Quorum):**

Any "fiscal bill", vote on passage; Wis. Con. VIII-8.

Less than majority adjourn; Senate Rule 15 and Wis. Con. IV-7.

Call of the senate; Senate Rules 15 and 81 and Wis. Con. IV-7.

Raise a call of the senate; Senate Rule 85 (5).

Roll call ordered, one-sixth of those present; Senate Rule 72 (1) and Wis. Con. IV-20.