

2007 SENATE RESOLUTION 2

January 5, 2007 – Introduced by COMMITTEE ON SENATE ORGANIZATION. Referred to Committee on Senate Organization.

1 **To amend** senate rule 5 (2) (a), senate rule 11 (title), senate rule 13, senate rule 14,
2 senate rule 17 (1) (c), senate rule 17 (1) (j), senate rule 18 (1), senate rule 20 (7),
3 senate rule 34 (1), senate rule 41 (1) (a), senate rule 41 (1) (c) and senate rule
4 46 (2) (c); **to repeal and recreate** senate rule 36 (1m); and **to create** senate
5 rule 8 (5), senate rule 11 (8), senate rule 11 (9), senate rule 17 (6), senate rule
6 18 (1m), senate rule 25 (4), senate rule 27 (6) and senate rule 96 (1m); **relating**
7 **to:** the senate rules.

Analysis by the Legislative Reference Bureau

This resolution makes the following changes to the senate rules, in addition to other technical changes:

Conduct in the senate chamber

Prohibits members and other persons while in the senate chamber, and members specifically during debate, from displaying a chart, sign, or other visual aid or promoting a private business by prominently displaying a branded product or logo.

Access to senate floor

Provides that a person who provides technical services under a license agreement to broadcast senate proceedings may be invited on the floor of the senate by the presiding officer to perform those services. The resolution also provides that a person who delivers the opening prayer may be admitted by the presiding officer to the floor of the senate, but only for the purpose of delivering the opening prayer.

Senate meetings

Allows the Committee on Senate Organization to prescribe the time the senate will meet. Currently, the senate must 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.

Orders of business

Provides that reference of appointments is to occur on third order of business during a floor session day. In addition, the resolution provides that consideration of motions, resolutions, and joint resolutions not requiring a third reading is to occur on tenth order of business during a floor session day.

Consideration of actions during floor session days

Provides that any action that would occur on the second, third, fourth, fifth, seventh, or eighth order of business during a daily session, but that actually occurs after the completion of the applicable order of business on that day, is considered to have occurred on the applicable order of business for the purpose of producing the senate journal.

Establishment of senate calendar

Specifies that any motion to withdraw a matter from the Committee on Senate Organization, if approved, places the matter on the next succeeding calendar established by the Committee on Senate Organization.

Disturbances in senate by members

Eliminates a provision that whenever any substantial disturbance is caused by or substantial disorderly conduct is engaged in by a member on the senate floor or in the lobby or gallery while the senate is sitting in session, the president may order the sergeant at arms to escort the member out of the senate chamber and prevent the member's return to the senate chamber for the remainder of the session day.

Temporary replacements on senate committee and joint committees

Provides that, if a senate member of a senate committee or a joint committee is unable to serve, the senate majority leader may select a temporary replacement for a member of the majority party who is unable to serve from among those senators of the same party and may select a temporary replacement for a member of the minority party, upon recommendation of the minority leader, who is unable to serve from among those senators of the same party. The resolution further provides that the replacement takes effect when the member who is a temporary replacement answers the roll call of the senate committee or joint committee and terminates upon the adjournment of the senate committee or joint committee meeting or the return of the member who was unable to serve, whichever occurs first.

Balloting and polling in committee executive sessions

Provides that a committee may not conduct an executive session on a proposal, amendment, appointment, or proposed administrative rule by ballot or polling unless the chairperson of the committee determines that voting by ballot or polling is necessary in an emergency for the preservation of the public peace, health, safety, or welfare. Before circulating a ballot or conducting a poll, however, the chairperson

must post a notice on the bulletin board of each house describing the business to be conducted by ballot or polling.

Committee action on amendments and substitute amendments

Provides that, if a committee reports out an amendment or substitute amendment to a proposal that is rereferred to another committee, the succeeding committee's action on the proposal shall supersede the prior committee's action for purposes of consideration of the proposal on the senate floor.

First reading of certain proposals

Provides that whenever a senate proposal is introduced or offered and referred or an assembly proposal is received and referred, the referral by the president constitutes the proposal's first reading.

Withdrawal motions

Provides that a motion to withdraw from committee may not take effect during the seven days preceding any scheduled committee meeting or the seven days following the date on which a committee meeting is held. Currently, a motion to withdraw from committee may not take effect during the seven days preceding any scheduled committee *hearing* or the seven days following the date on which a committee *hearing* is held.

Request for fiscal estimate

Provides that the chairperson of any committee may request from the Legislative Fiscal Bureau an original fiscal estimate on a bill if the chairperson believes that a fiscal estimate on the bill will not be completed by the state agency assigned to prepare the fiscal estimate before the deadline specified in the joint rules. Currently, only the Committee on Senate Organization may make such a request.

Layover of proposals before consideration

Provides that all bills and joint resolutions, and all resolutions except those privileged for immediate consideration, after introduction, must lay over for at least 24 hours before being considered. Currently, the proposals must lay over one day.

Rereferral of proposals

Provides that the president may, with the consent of the chairperson of the standing committee and the chairperson of the committee on senate organization, withdraw a proposal or appointment from the standing committee to which it is referred and rerefer it to another standing committee. Currently, the president must only receive the permission of the chairperson of the standing committee.

Requirement for public hearing on bills for senate consideration

Provides that no bill may be placed on the calendar that has not received a public hearing, but allows the committee on senate organization to waive the public hearing requirement.

1 ***Resolved by the senate, That:***

2 **SECTION 1.** Senate rule 5 (2) (a) is amended to read:

1 SENATE RULE 5 (2) (a) Superintend the recording of the journals of the
2 proceedings and determine the placement and order of the proceedings in the
3 journals.

4 **SECTION 2.** Senate rule 8 (5) is created to read:

5 SENATE RULE 8 (5) A member or other person may not, within the senate
6 chamber, display a chart, sign, or other visual aid or promote a private business by
7 prominently displaying a branded product or logo.

8 **SECTION 3.** Senate rule 11 (title) is amended to read:

9 SENATE RULE 11 (title) **Who may be admitted to the floor; recording**
10 **proceedings; listing of visitors.**

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

12 SENATE RULE 11 (8) A person who provides technical services under a license
13 agreement to broadcast senate proceedings may be invited on the floor of the senate
14 by the presiding officer to perform those services.

15 **SECTION 5.** Senate rule 11 (9) is created to read:

16 SENATE RULE 11 (9) A person who delivers the opening prayer may be admitted
17 by the presiding officer to the floor of the senate, but only for the purpose of delivering
18 the opening prayer.

19 **SECTION 6.** Senate rule 13 is amended to read:

20 SENATE RULE 13. **Disturbances.** Whenever any disturbance or disorderly
21 conduct occurs on the senate floor or in the lobby or gallery, the presiding officer may
22 order the same cleared of all persons except members and officers. ~~Whenever any~~
23 ~~substantial disturbance is caused by or substantial disorderly conduct is engaged in~~
24 ~~by a member on the senate floor or in the lobby or gallery while the senate is sitting~~
25 ~~in session, the president may order the sergeant at arms to escort the member out~~

1 of the senate chamber and prevent the member's return to the senate chamber for
2 the remainder of the session day.

3 **SECTION 7.** Senate rule 14 is amended to read:

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

7 **SECTION 8.** Senate rule 17 (1) (c) is amended to read:

8 SENATE RULE 17 (1) (c) *Third order.* Introduction, first reading, and reference
9 of proposals; reference of appointments.

10 **SECTION 9.** Senate rule 17 (1) (j) is amended to read:

11 SENATE RULE 17 (1) (j) *Tenth order.* Consideration of motions and, resolutions,
12 and joint resolutions not requiring a 3rd reading.

13 **SECTION 10.** Senate rule 17 (6) is created to read:

14 SENATE RULE 17 (6) Any action that would occur on the 2nd, 3rd, 4th, 5th, 7th,
15 or 8th order of business during a daily session, but that actually occurs after the
16 completion of the applicable order of business on that day, is considered to have
17 occurred on the applicable order of business for the purpose of producing the journal.

18 **SECTION 11.** Senate rule 18 (1) is amended to read:

19 SENATE RULE 18 (1) All proposals, appointments, or other business, referred to
20 a committee and reported by it to the senate or withdrawn from it by the senate, all
21 proposals or amendments received from the assembly for senate concurrence, and all
22 reports from conference committees and veto messages received by the senate, shall
23 be placed in the committee on senate organization. Any such business deposited with
24 the chief clerk on a day when the senate does not meet may be placed in the
25 committee on senate organization immediately. The committee on senate

1 organization shall establish a calendar at least 18 hours prior to the ~~commence~~
2 commencement of the session to which the calendar applies, but the distributed
3 calendar, as provided under sub. (2), may not be changed within such 18-hour period.
4 ~~The~~ In establishing a calendar under this subsection, the committee on senate
5 organization shall place a proposal, appointment, or other business on the calendar
6 when directed to do so by a majority vote of the senate.

7 **SECTION 12.** Senate rule 18 (1m) is created to read:

8 SENATE RULE 18 (1m) Notwithstanding sub. (1) and rule 41 (1) (c), no bill may
9 be placed on a calendar that has not received a public hearing. The committee on
10 senate organization may waive the public hearing requirement under this
11 subsection.

12 **SECTION 13.** Senate rule 20 (7) is amended to read:

13 SENATE RULE 20 (7) If a senate member of the a senate committee ~~on senate~~
14 ~~organization~~ or a joint committee is unable to serve, the senate majority leader may
15 select a temporary replacement for a member of the majority party who is unable to
16 serve from among those senators of the same party and may select a temporary
17 replacement for a member of the minority party, upon recommendation of the
18 minority leader, who is unable to serve from among those senators of the same party.
19 The replacement takes effect when the member who is a temporary replacement
20 answers the roll call of the senate committee or joint committee and terminates upon
21 the adjournment of the senate committee or joint committee meeting or the return
22 of the member who was unable to serve, whichever occurs first.

23 **SECTION 14.** Senate rule 25 (4) is created to read:

24 SENATE RULE 25 (4) (a) A committee may not conduct an executive session on
25 a proposal, amendment, appointment, or proposed administrative rule by ballot or

1 polling unless the chairperson of the committee determines that voting by ballot or
2 polling is necessary in an emergency for the preservation of the public peace, health,
3 safety, or welfare. If the chairperson directs that an executive session is to be
4 conducted by ballot or polling, the chairperson shall circulate ballots to, or contact,
5 each committee member to allow the committee member to vote on all applicable
6 motions. The ballots shall be in a form prescribed by the chief clerk.

7 (b) If a chairperson of a committee elects to vote by ballot or polling, the
8 chairperson shall adhere to the public notice requirement under sub. (1) (c).

9 **SECTION 15.** Senate rule 27 (6) is created to read:

10 SENATE RULE 27 (6) If a committee reports out an amendment or substitute
11 amendment to a proposal that is rereferred to another committee, the succeeding
12 committee's action on the proposal shall supersede the prior committee's action for
13 purposes of consideration of the proposal on the senate floor.

14 **SECTION 16.** Senate rule 34 (1) is amended to read:

15 SENATE RULE 34 (1) All bills and joint resolutions, and all resolutions except
16 those privileged for immediate consideration under rule 69, after being distributed
17 introduction, must lay over ~~one day~~ at least 24 hours before being considered.

18 **SECTION 17.** Senate rule 36 (1m) is repealed and recreated to read:

19 SENATE RULE 36 (1m) Whenever a senate proposal is introduced or offered and
20 referred or an assembly proposal is received and referred, the referral by the
21 president constitutes the proposal's first reading.

22 **SECTION 18.** Senate rule 41 (1) (a) is amended to read:

23 SENATE RULE 41 (1) (a) A proposal or other matter may be rereferred at any time
24 prior to its passage, except that a motion to withdraw from committee may not take

1 effect during the 7 days preceding any scheduled committee hearing meeting or the
2 7 days following the date on which a committee hearing meeting is held.

3 **SECTION 19.** Senate rule 41 (1) (c) is amended to read:

4 SENATE RULE 41 (1) (c) A motion to withdraw a matter from the committee on
5 senate organization, if approved, places the matter on the next succeeding calendar
6 established by the committee on senate organization under rule 18 (1). A motion to
7 withdraw a matter from any other committee, if approved, places the matter in the
8 committee on senate organization unless the senate rerefers the matter to a different
9 committee.

10 **SECTION 20.** Senate rule 46 (2) (c) is amended to read:

11 SENATE RULE 46 (2) (c) After the time of initial referral by the president under
12 rule 36 (2), the president may, with the consent of the chairperson of the standing
13 committee and the chairperson of the committee on senate organization, withdraw
14 a proposal or appointment from the standing committee to which it is referred and
15 rerefer it to another standing committee, except that such a withdrawal may not take
16 effect during the 7 days preceding any scheduled committee hearing or the 7 days
17 following the date on which a committee hearing is held. Rereferral under this rule
18 may be made at any time, but may not be used to satisfy section 13.093 (1) of the
19 statutes.

20 **SECTION 21.** Senate rule 96 (1m) is created to read:

21 SENATE RULE 96 (1m) The chairperson of any committee may request from the
22 legislative fiscal bureau an original fiscal estimate on a bill if the chairperson
23 believes that a fiscal estimate on the bill will not be completed by the state agency

1 assigned to prepare the fiscal estimate before the deadline specified under joint rule
2 42 (3).

3 (END)