

2007 DRAFTING REQUEST

Senate Resolution

Received: **12/20/2006**

Received By: **rchampag**

Wanted: **Soon**

Identical to LRB:

For: **Senate Chief Clerk**

By/Representing: **Rob**

This file may be shown to any legislator: **NO**

Drafter: **rchampag**

May Contact:

Addl. Drafters:

Subject: **Legislature - rules**

Extra Copies: **JK**

Submit via email: **YES**

Requester's email: **robert.marchant@legis.wisconsin.gov**

Carbon copy (CC:) to: **jeff.renk@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Senate rule changes

Instructions:

See Attached.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							
/1	rchampag 12/20/2006	jdyer 12/20/2006	rschluet 12/20/2006	_____	sbasford 12/20/2006		
/2	rchampag 12/21/2006	jdyer 12/21/2006	pgreensl 12/21/2006	_____	sbasford 12/21/2006		
/3	rchampag 12/21/2006	jdyer 12/21/2006	pgreensl 12/21/2006	_____	sbasford 12/21/2006	sbasford 01/02/2007	

FE Sent For: *none*

<END>

2007 DRAFTING REQUEST

Senate Resolution

Received: **12/20/2006**

Received By: **rchampag**

Wanted: **Soon**

Identical to LRB:

For: **Senate Chief Clerk**

By/Representing: **Rob**

This file may be shown to any legislator: **NO**

Drafter: **rchampag**

May Contact:

Addl. Drafters:

Subject: **Legislature - rules**

Extra Copies: **JK**

Submit via email: **YES**

Requester's email: **robert.marchant@legis.wisconsin.gov**

Carbon copy (CC:) to: **jeff.renk@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Senate rule changes

Instructions:

See Attached.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							
/1	rchampag 12/20/2006	jdyer 12/20/2006	rschluet 12/20/2006	_____	sbasford 12/20/2006		
/2	rchampag 12/21/2006	jdyer 12/21/2006	pgreensl 12/21/2006	_____	sbasford 12/21/2006		
/3	rchampag 12/21/2006	jdyer 12/21/2006	pgreensl 12/21/2006	_____	sbasford 12/21/2006		

FE Sent For:

<END>

2007 DRAFTING REQUEST

Senate Resolution

Received: **12/20/2006**

Received By: **rchampag**

Wanted: **Soon**

Identical to LRB:

For: **Senate Chief Clerk**

By/Representing: **Rob**

This file may be shown to any legislator: **NO**

Drafter: **rchampag**

May Contact:

Addl. Drafters:

Subject: **Legislature - rules**

Extra Copies: **JK**

Submit via email: **YES**

Requester's email: **robert.marchant@legis.wisconsin.gov**

Carbon copy (CC:) to: **jeff.renk@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Senate rule changes

Instructions:

See Attached.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							
/1	rchampag 12/20/2006	jdyer 12/20/2006	rschluet 12/20/2006	_____	sbasford 12/20/2006		
/2	rchampag 12/21/2006	jdyer 12/21/2006	pgreensl 12/21/2006	<u>0/21</u> PF	sbasford 12/21/2006		

FE Sent For:

13 12/21 jld

0/21
PF

<END>

2007 DRAFTING REQUEST

Senate Resolution

Received: 12/20/2006

Received By: rchampag

Wanted: Soon

Identical to LRB:

For: Senate Chief Clerk

By/Representing: Rob

This file may be shown to any legislator: NO

Drafter: rchampag

May Contact:

Addl. Drafters:

Subject: Legislature - rules

Extra Copies: JK

Submit via email: YES

Requester's email: robert.marchant@legis.wisconsin.gov

Carbon copy (CC:) to: jeff.renk@legis.wisconsin.gov

Pre Topic:

No specific pre topic given

Topic:

Senate rule changes

Instructions:

See Attached.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							
/1	rchampag 12/20/2006	jdyer 12/20/2006	rschluet 12/20/2006		sbasford 12/20/2006		

FE Sent For:

12/21 jld
12/21 ps
12/21 ps/nw
<END>

2007 DRAFTING REQUEST

Senate Resolution

Received: 12/20/2006

Received By: **rchampag**

Wanted: **Soon**

Identical to LRB:

For: **Senate Chief Clerk**

By/Representing: **Rob**

This file may be shown to any legislator: **NO**

Drafter: **rchampag**

May Contact:

Addl. Drafters:

Subject: **Legislature - rules**

Extra Copies: **JK**

Submit via email: **YES**

Requester's email: **robert.marchant@legis.wisconsin.gov**

Carbon copy (CC:) to: **jeff.renk@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Senate rule changes

Instructions:

See Attached.

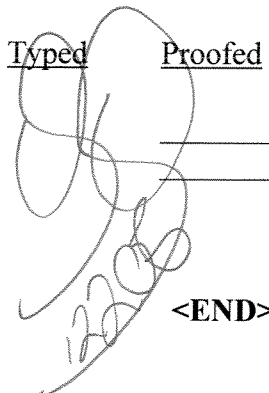
Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
--------------	----------------	-----------------	--------------	----------------	------------------	-----------------	-----------------

/?

rchampag

1/12/20 jld



<END>

FE Sent For:

DRAFT

DRAFT

DRAFT

M E M O R A N D U M

TO:

FROM: Robert Marchant
Senate Chief Clerk and Director of Operations

DATE: December 20, 2006

RE: Proposed Changes to Senate Rules

This memorandum describes proposed changes to the Senate Rules.

Senate Operations

Waiting Period

With certain limited exceptions, the Senate rules currently require that a proposal lay over "one day" before being considered.

This proposed change would clarify that "one day" means 24 hours. It would also clarify that the layover period applies to consideration of a proposal by a committee or by the entire Senate.

First Reading

Consistent with Senate practice, this rule provides that the referral of the President constitutes the first reading of the proposal.

Fiscal Estimates

The rules currently allow the Committee on Senate Organization to obtain a fiscal estimate from the LFB if the executive branch is unlikely to prepare one in time for a public hearing on the proposal.

This proposed change would instead allow a chairperson of any Senate committee to obtain a fiscal estimate from the LFB (if the executive branch is unlikely to prepare one by the statutory deadline.)

new
std.

Rereferral of Bills by President

Currently, with certain limited exceptions, the President may rerefer any proposal at any time prior to passage with the consent of the chairperson of the committee from which the bill is being pulled. This proposed change would further require that the chairperson of the Committee on Senate Organization consent to any such rereferral.

Conduct of Floor Sessions

Use of Signs, Posters, Charts, Graphs, etc.

This proposed change would prohibit members and other persons from displaying a chart, sign, or other visual aid in the Senate chamber during debate.

AKW

Access to Senate Floor

This proposed change allows the presiding officer to admit WisconsinEye personnel to the Senate floor for purposes of administering the license agreement with the Senate.

This proposed change is in preparation for the arrival of WisconsinEye.

Time of Floor Session

This proposed change incorporates the practice of the Senate, which has been to allow the Committee on Senate Organization to set the time at which the Senate will convene.

Orders of Business

This proposed change clarifies that appointments are referred to committee under the 3rd order of business. It also clarifies that the 10th order is the appropriate order for consideration of resolutions that do not require 3 readings. Finally, for purposes of producing the Senate Journal, this change allows the clerk to place Senate action in the appropriate order in the Journal even if the action occurred after the Senate moved on to a different portion of the calendar.

18 Hour Rule

This proposed change clarifies the 18 hour rule to conform to the Senate's practice. In other words, under the rule, the Committee on Senate Organization generally must meet to establish a calendar at least 18 hours before convening on that calendar. Furthermore, any motion to pull a proposal and take it up immediately requires a suspension of the rules and a 2/3 vote. Finally, any motion to pull a proposal from committee and place it on the calendar or remove a proposal from the table, if successful, places the proposal on the next calendar.

Disturbance in Chamber

The current rules specifically authorize the President to have a member removed from the Senate chamber for the entire day whenever that member causes any substantial disturbance or engages in any disorderly conduct while the senate is sitting in session. This rule is redundant of the President's inherent powers to maintain order in the chamber.

This proposed change deletes this specific rule.

Committee Activities

Temporary Replacements on Senate and Joint Committees

This proposed change incorporates the Senate's practice, which has been to allow the Majority Leader to appoint temporary replacements to Senate and Joint committees if a committee member is unable to serve. Minority appointments may be made based upon the recommendation of the Minority Leader. The change also clarifies that the temporary appointment takes effect at the time the replacement member answers the calling of the roll and terminates upon return of the member who was unable to serve or adjournment of the committee, whichever occurs first.

Use of Paper Ballots and Polling for Executive Session

This proposed change prohibits voting by ballot or polling for executive sessions concerning legislation, except that a committee may vote by polling or ballot if the chairperson determines that voting by polling or ballot is necessary in an emergency for the preservation of the public peace, health, safety, or welfare.

Because this prohibition applies only to executive sessions concerning legislation, the Committee on Senate Organization's current practice of voting by ballot for administrative matters is preserved.

This proposed rule further requires that the chairperson post a notice of any committee action that will be conducted by polling or ballot.

add word

by ballot or polling

Because this notice requirement applies to any committee action taken by polling or ballot, the Committee on Senate Organization would need to post notice when a ballot is circulated. This has been our recent practice.

Requiring a Public Hearing

The rules currently do not require that a bill receive a public hearing before being placed on a calendar. This proposed rule would create such a requirement. The proposed rule would also allow the Committee on Senate Organization to exempt a proposal from this requirement by majority vote.

Action By Multiple Committees

Occasionally, a single proposal may go to multiple committees. For example, a proposal may go from a Senate standing committee to Joint Finance. It is unclear under the current rules whether the action of the second committee replaces the action of the first committee or if each committee's action is reported to the floor. The practice has been that the action of the second committee replaces the action of the first.

Consistent with this practice, this proposed rule provides that the action of the last committee to report out a proposal supersedes the action of any prior committee that had jurisdiction over the proposal. We also need to ensure that the action of the first committee is listed on the Senate calendar.

Motion to Withdraw From Committee OK

The current rules prohibit a motion to withdraw from committee during the 7 days preceding any scheduled committee hearing or the 7 days following the date on which a committee hearing is held.

This proposed rule clarifies that this prohibition also applies if a committee executive session is scheduled on the proposal.



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-1209/1

RAC: a:...

FRI

Jcd
&
Kif

2007 SENATE RESOLUTION

Regen

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 25 (1) (d), senate rule 34 (1), senate rule 41 (1) (a), senate rule 41
4 (1) (c) and senate rule 46 (2) (c); **to repeal and recreate** senate rule 36 (1m);
5 and **to create** senate rule 8 (5), senate rule 11 (8), senate rule 11 (9), senate rule
6 17 (6), senate rule 18 (1m), senate rule 25 (3), senate rule 25 (4), senate rule 27
7 (6) and senate rule 96 (1m); **relating 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. ✓

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 chief clerk to perform those services. The resolution also provides that a person who delivers the opening prayer may be admitted 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. If the committee intends to act on un-introduced legislation, the notice must indicate that copies of the legislation can be obtained from the chief clerk's office.

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 by the senate. Currently, the proposals must lay over one day.

* ***Rereferal 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, by majority vote, to waive the public hearing requirement.

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

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

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

6 SENATE RULE 8 (5) A member or other person may not, within the senate
7 chamber, display a chart, sign, or other visual aid. ✓

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 chief clerk 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 to the floor of the senate, but only for the purpose of delivering the opening prayer. ✓

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

19 SENATE RULE 13. **Disturbances.** Whenever any disturbance or disorderly
20 conduct occurs on the senate floor or in the lobby or gallery, the presiding officer may
21 order the same cleared of all persons except members and officers. ~~Whenever any~~
22 ~~substantial disturbance is caused by or substantial disorderly conduct is engaged in~~
23 ~~by a member on the senate floor or in the lobby or gallery while the senate is sitting~~
24 ~~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, by majority vote, may waive the public hearing requirement
11 under this 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)

2007 SENATE RESOLUTION

Changes

Rick-
Per my
voicemail...
-RS

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.

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 ~~chief clerk~~ to perform those services. The resolution also provides that a person who delivers the opening prayer may be admitted to the floor of the senate, but only for the purpose of delivering the opening prayer.

Need to add the product placement stuff.

presiding officer

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

WAB

must post a notice on the bulletin board of each house describing the business to be conducted by ballot or polling. ~~If the committee intends to act on un-introduced legislation, the notice must indicate that copies of the legislation can be obtained from the chief clerk's office.~~

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, by majority vote, to waive the public hearing requirement.

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

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

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

6 SENATE RULE 8 (5) A member or other person may not, within the senate
7 chamber, display a chart, sign, or other visual aid.

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 ~~chief clerk~~ 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 to the floor of the senate, by the presiding officer but only for the purpose of delivering the opening prayer.

18 SECTION 6. Senate rule 13 is amended to read:

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

Sorry!
5/20/08
OK as
JLF/KL

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, ~~by majority vote,~~ may waive the public hearing requirement
11 under this 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:

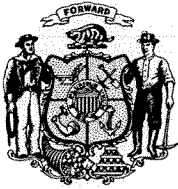
11 SENATE RULE 46 (2) (c) After the time of initial referral by the president under
12 rule 36 (2), the president may, with the consent of the chairperson of the standing
13 committee and the chairperson of the committee on senate organization, withdraw
14 a proposal or appointment from the standing 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)



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-1209/1-2
RAC:jld&kjf:rs

Today

RMP

2007 SENATE RESOLUTION

-regen. cat

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.

Insert analysis

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 ~~chief clerk~~ ^{presiding officer} to perform those services. The resolution also provides that a person who delivers the opening prayer may be admitted to the floor of the senate but only for the purpose of delivering the opening prayer.

presiding officer

by the presiding officer

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. ~~If the committee intends to act on unintroduced legislation, the notice must indicate that copies of the legislation can be obtained from the chief clerk's office.~~

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, by majority vote, to waive the public hearing requirement.

Insert 4-8 ✓

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

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

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

6 ~~SENATE RULE 8 (5) A member or other person may not, within the senate~~
7 ~~chamber, display a chart, sign, or other visual aid.~~

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 ~~chief clerk~~ presiding officer

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 to the floor of the senate, but only for the purpose of delivering the opening prayer.

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

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

by the presiding officer

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, by majority vote, may waive the public hearing requirement
11 under this 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)

**2007-2008 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-1209/2insRC
RAC:.....

Insert Analysis:

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. ✓

Insert 4-8:

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



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-1209/2-3
RAC:jld&kjf:pg

Today

RMK

2007 SENATE RESOLUTION

gen. conf.

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 *by majority vote* 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 ~~by majority vote~~ may waive the public hearing requirement
11 under this 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)

Champagne, Rick

From: Marchant, Robert
Sent: Friday, December 29, 2006 3:05 PM
To: Champagne, Rick
Subject: Senate Rules

Rick--

Please jacket LRB-1209 for introduction. We would like to have it ready for use on the 3rd.

Thanks.

Rob