

2011 DRAFTING REQUEST

Senate Resolution

Received: 11/15/2010

Received By: **rchampag**

Wanted: **Soon**

Companion to LRB:

For: **Senate Chief Clerk**

By/Representing: **Rob**

May Contact:

Drafter: **rchampag**

Subject: **Legislature - rules**

Addl. Drafters:

Extra Copies:

Submit via email: **YES**

Requester's email: **Rob.Marchant@legis.wisconsin.gov**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Senate Rules

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 11/17/2010	kfollett 11/18/2010	rschluet 11/18/2010	_____	cduerst 11/18/2010		
				_____	cduerst 11/18/2010		

/2	rchampag 12/27/2010	csicilia 12/27/2010	mduchek 12/28/2010	_____	mbarman 12/28/2010		
/3	rchampag 12/30/2010	chanaman 12/30/2010	chanaman 12/30/2010	_____	chanaman 12/30/2010	cduerst 12/30/2010	

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cduerst
12/30/2010

re-print for
label

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2 gs 12/27
10
12/27

Just for corrected email address

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Requester's email: **Robert Marchant@legis.wisconsin.gov** *FIXED*

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/?	rchampag	11/15/10 11/18		11/18			

FE Sent For:

<END>

Champagne, Rick

From: Marchant, Robert
Sent: Monday, November 15, 2010 9:06 AM
To: Champagne, Rick
Cc: Renk, Jeff; Jones-Queensland, Elizabeth
Subject: Proposed Changes for the 2011 Senate Rules.doc

Attachments: Proposed Changes for the 2011 Senate Rules.doc

Rick--

Here are the proposed changes to the Senate Rules. Please prepare a preliminary draft. The drafting is not technically correct in the attachment but I think it should give you an idea of the intent. As usual, please make any changes you see as necessary or appropriate.

Thanks.

Rob



Proposed
anges for the 2011

Senate Rules Changes - 2011-12

Senate Rule 36

(1m) Whenever a senate proposal or petition 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.

Senate Rule 46.

Senate Rule 46. Presentation, introduction, and offering of proposals and other matters.

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

~~(b) The chief clerk shall promptly record each document or proposal introduced or offered under par. (a) in the journal.~~

(2) (a) Except as otherwise provided in this paragraph, the chief clerk shall maintain the confidentiality of any proposal presented under sub. (1) that is pending referral, until that proposal is referred. The chief clerk shall advise the president of documents presented under sub. (1) that must be referred under the rules and the president shall promptly refer the documents to the appropriate committees. Any member may inquire of the chief clerk concerning the status of any proposal pending referral under this paragraph.

(2) (am) The president shall refer every notice and report concerning a proposed administrative rule received by the presiding officer under section 227.19 of the statutes to the appropriate standing committee of the senate within 7-10 working days following receipt and provide notice to that committee whenever the president is informed that a proposed rule is being withdrawn. The president shall refer any report received from a standing committee that objects to a proposed rule to the joint committee for review of administrative rules.

(3) The chief clerk shall promptly record in the journal the date on which each proposal is introduced or offered, as applicable. The date of introduction or offering is as follows:

(a) For a bill, when it is referred under sub. (2) (a).

(b) For a joint resolution or resolution, other than a resolution that is privileged under rule 69, when it is referred under sub. (2) (a).

(c) For a resolution that is privileged under rule 69, when it is presented to the chief clerk under sub. (1).

(d) For a substitute amendment or amendment, other than one introduced by committee, when the substitute amendment or amendment is presented to the chief clerk under sub. (1).

(e) For a substitute amendment or amendment introduced by committee, when the committee report under rule 27 (1) is filed.

Senate Rule 49.

Offering amendments. Amendments shall be numbered in the order received, and shall bear the name of the member or the committee offering the same. Amendments shall be prepared in proper form by the legislative reference bureau, ~~and must be offered in compliance with rule 29, including the jacket stripes with 4 copies~~; except that when the proposal is debated on 2nd reading amendments may be offered from the floor. The chief clerk shall have amendments offered from the floor drawn in proper form as soon as possible and before the proposal is subsequently engrossed and delivered to a committee or to the assembly. This provision does not delay action upon an amendment offered from the floor.

Senate Rule 55.

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

2 to 14 sheep
attach jacket
copy sheets
(stripes) to the
amendment

Champagne, Rick

From: Marchant, Robert
Sent: Tuesday, November 16, 2010 3:35 PM
To: Champagne, Rick
Cc: Renk, Jeff; Jones-Queensland, Elizabeth
Subject: PROPOSED RULE FOR CONSENT CALENDAR.doc

Attachments: PROPOSED RULE FOR CONSENT CALENDAR.doc

Rick--

Can you work this into the Senate Rules draft?

Thanks.

Rob



PROPOSED RULE
OR CONSENT CALE

PROPOSED RULE FOR CONSENT CALENDAR

Senate Rule XXXX. Consent Calendar

(1) ESTABLISHING CONSENT CALENDAR. The committee on senate organization may establish a consent calendar. The consent calendar may consist of any bill, resolution, or joint resolution that is in the committee on senate organization and available for scheduling, except that the consent calendar may not contain any of the following:

(a) Any bill, resolution, or joint resolution that is reported out of a standing committee with a recommendation to adopt an amendment.

(b) Any joint resolution proposing an amendment to the constitution.

(c) Any bill that increases benefits for persons who have been or shall be granted benefits of any kind under a retirement system.

(c) Any resolution proposing the expulsion of a member.

(d) Any bill for which the question is passage notwithstanding the objections of the governor.

(e) Bonded indebtedness under Article 8, Section 7 of the constitution

(f) Debt for extraordinary expenditures under Article 8, Section 8 of the constitution.

(2) DISTRIBUTION OF CONSENT CALENDAR. The consent calendar shall be distributed to members at the same time as the daily calendar.

(2) CONSIDERATION OF CONSENT CALENDAR. (a) The consent calendar shall be taken up as the last item under the 10th order of business. The presiding officer shall verbally notify the members that the Senate is on the consent calendar. Immediately following the notification, any member may object to the consideration of any item on the consent calendar by voicing the objection and stating the number of the item. If objection is heard, the item is removed from the consent calendar, returned to the amendable stage, and scheduled for consideration on the remainder of the daily calendar.

(b) Immediately following the presiding officer's notification under par. (a), those items for which no objection is heard shall be voted on *en masse* by roll call vote. Consideration of the consent calendar is not debatable. Three-fifths of the members elected is the required quorum for purposes of voting on the consent calendar.

(c) Consideration of any item on the consent calendar serves as the second and third readings of the item. The Chief Clerk shall separately record the second and third reading of each item and the vote on each item in the daily journal.

Champagne, Rick

From: Renk, Jeff
Sent: Tuesday, November 16, 2010 4:10 PM
To: Marchant, Robert; Champagne, Rick
Cc: Jones-Queensland, Elizabeth
Subject: RE: PROPOSED RULE FOR CONSENT CALENDAR.doc

I like it, however, here's my 2 cents....

I think 3 (C) may need a little work. (You have 2 (2)'s in your draft).

Instead of just just saying consideration serves as 2nd and 3rd reading, do we also need to say something about 'order to a third reading' which is essentially engrossment, even if there are no amendments? After a bill is read a second time, it has a mandatory vote, whether by voice or roll call, that orders it to a third reading (engrossment). Then it's read a third time, then passed.

Also, saying all items would appear in the journal separately would mean that we would have to list the vote over and over again for each bill separately, even though only one vote was taken. This would lengthen the journal considerably for a consent calendar with many bills. I think just listing the bill number and relating clause for each item would be sufficient, then list the action entries en masse. So, maybe do the opposite, and say something like:

Each bill on the consent calendar shall be listed separately in the daily journal with bill number and relating clause. A single entry for the entire consent calendar for "Read a second time.", "Ordered to a third reading.", "Read a third time", and "Passed, Ayes #, Noes #" with the ayes and naves listed, will be required for the daily journal.

Or something like that. I think you know what I mean.

Thanks.

Jeff

From: Marchant, Robert
Sent: Tuesday, November 16, 2010 3:35 PM
To: Champagne, Rick
Cc: Renk, Jeff; Jones-Queensland, Elizabeth
Subject: PROPOSED RULE FOR CONSENT CALENDAR.doc

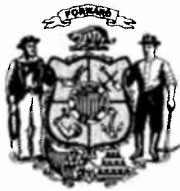
Rick--

Can you work this into the Senate Rules draft?

Thanks.

Rob

<< File: PROPOSED RULE FOR CONSENT CALENDAR.doc >>



808

2011 SENATE RESOLUTION

Sen Cal

1 **Relating to:** the senate rules.

Analysis by the Legislative Reference Bureau

This resolution makes the following substantive changes to the senate rules:

Consent calendar

x The resolution authorizes the senate committee on organization to establish a consent calendar, which may consist of any bill, joint resolution, or resolution in the committee and that is available for scheduling. Certain proposals are excluded, such as proposals reported out of a standing committee with a recommendation to adopt an amendment; joint resolutions proposing an amendment to the constitution; resolutions proposing the expulsion of a member; bills for which the question is passage notwithstanding the objections of the governor; and bills authorizing bonded indebtedness and extraordinary expenditures.

Under the resolution, a member may object to consideration of any proposal on a consent calendar by voicing an objection and identifying the proposal. The proposal is then removed from the consent calendar. Those proposals for which no objection is heard are then voted on en masse by roll call vote. Consideration of the consent calendar is not debatable. In addition, a quorum of three-fifths of the members elected is required for purposes of voting on the consent calendar.

First reading of petitions

The resolution clarifies that whenever a senate petition is offered and referred, the referral by the president constitutes the proposal's first reading.

Confidentiality of pending proposals

The resolution provides that the senate chief clerk must maintain the confidentiality of any proposal that is pending referral, but permits, if requested by

a member, the chief clerk to inform the member of the status of a proposal pending referral.

Referral of notice and report concerning proposed administrative rules

The resolution requires the referral of every notice and report concerning a proposed administrative rule received by the president of the senate to the appropriate standing committee of the senate within ten working days following receipt. Current rules provide that the referral must be within seven working days.

Dates of introduction or offering of proposals and amendments

The resolution clarifies the dates on which the senate chief clerk is to record in the journal the introduction and offering of bills, joint resolutions, resolutions, substitute amendments, and amendments.

Adverse committee action on proposals

The resolution clarifies that if adverse action on a proposal is recommended by a committee, that question is put first.

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

2 **SECTION 1.** Senate rule 18m is created to read:

3 SENATE RULE 18m. **Consent calendar** (1) ESTABLISHMENT OF CONSENT
4 CALENDAR. The committee on senate organization may establish a consent calendar.
5 Any proposal in the committee on senate organization that is available for
6 scheduling may be placed on the consent calendar, except for the following:

7 (a) A proposal reported out of a standing committee with a recommendation to
8 adopt an amendment.

9 (b) A joint resolution proposing an amendment to the constitution.

10 (c) A bill creating or modifying any system for the retirement of public
11 employees.

12 (d) A resolution proposing the expulsion of a member.

13 (e) A bill for which the question is passage notwithstanding the objections of
14 the governor.

15 (f) A bill authorizing bonded indebtedness that is subject to section 7 of article
16 8 of the constitution.

1 (g) A bill authorizing extraordinary expenditures that is subject to section 8
2 of article 8 of the constitution.

3 (2) DISTRIBUTION OF CONSENT CALENDAR. The consent calendar shall be
4 distributed to members at the same time as the daily calendar.

5 (3) CONSIDERATION OF CONSENT CALENDAR. (a) The consent calendar shall be
6 taken up as the last item under the 10th order of business. The presiding officer shall
7 notify the members that the senate is on the consent calendar. Immediately
8 following the notification, a member may object to consideration of any proposal on
9 the consent calendar by voicing an objection and identifying the proposal. If
10 objection is heard, the proposal is removed from the consent calendar, returned to the
11 amendable stage, and scheduled for consideration on the remainder of the daily
12 calendar.

13 (b) Immediately following the presiding officer's notification under par. (a),
14 those proposals for which no objection is heard shall be voted on en masse by roll call
15 vote. Consideration of the consent calendar is not debatable. A quorum of
16 three-fifths of the members elected is required for purposes of voting on the consent
17 calendar.

18 (c) Consideration of any proposal on the consent calendar serves as the second
19 and third readings of the proposal. The Chief Clerk shall record as a single entry in
20 the daily journal all senate action for the proposals on the senate calendar for which
21 a vote is taken.

SECTION 2. Senate rule 36 (1m) is amended to read:

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

change component

is renumbered senate rule 36 (1m) (a) and

2nd

Insert 4-1

1 SECTION 3. Senate rule 46 (title) is amended to read:

2 SENATE RULE 46 (title) **Presentation, introduction, and offering of**
3 **proposals and other matters.**

4 SECTION 4. Senate rule 46 (1) (a) is renumbered senate rule 46 (1). *x*

5 SECTION 5. Senate rule 46 (1) (b) is repealed. *x*

6 SECTION 6. Senate rule 46 (2) (a) is amended to read:

7 SENATE RULE 46 (2) (a) The chief clerk shall advise the president of documents
8 presented under sub. (1) that must be referred under the rules and the president
9 shall promptly refer the document to the appropriate committee. The chief clerk
10 shall maintain the confidentiality of any proposal presented under sub. (1) that is
11 pending referral, except that, if requested by a member, the chief clerk shall inform
12 the member of the status of a proposal pending referral under this paragraph. *✓*

13 SECTION 7. Senate rule 46 (2) (am) is amended to read: *✓*

14 SENATE RULE 46 (2) (am) The president shall refer every notice and report
15 concerning a proposed administrative rule received by the presiding officer under
16 section 227.19 of the statutes to the appropriate standing committee of the senate
17 within *✓* 7 *✓* 10 working days following receipt and provide notice to that committee
18 whenever the president is informed that a proposed rule is being withdrawn. The
19 president shall refer any report received from a standing committee that objects to
20 a proposed rule to the joint committee for review of administrative rules.

21 SECTION 8. Senate rule 46 (3) is created to read: *✓*

22 SENATE RULE 46 (3) The chief clerk shall promptly record in the journal the date
23 on which each proposal, substitute amendment, and amendment is introduced or
24 offered. The date of introduction or offering is as follows:

25 (a) For a bill, when it is referred under sub. (2) (a). *✓*

1 (b) For a joint resolution or resolution, other than a resolution that is privileged
2 under rule 69, when it is referred under sub. (2) (a).

3 (c) For a resolution that is privileged under rule 69, when it is presented to the
4 chief clerk under sub. (1).

5 (d) For a substitute amendment or amendment, other than one introduced by
6 committee, when the substitute amendment or amendment is presented to the chief
7 clerk under sub. (1).

8 (e) For a substitute amendment or amendment introduced by committee, when
9 the committee report under rule 27 (1) is filed.

10 **SECTION 9.** Senate rule 49 is amended to read:

11 SENATE RULE 49. Amendments shall be numbered in the order received, and
12 shall bear the name of the member or the committee offering the same. Amendments
13 shall be prepared in proper form by the legislative reference bureau, and ~~must be~~
14 offered in compliance with rule 29 and the legislative reference bureau shall attach
15 jacket cover sheets (stripes) to the amendments; except that when the proposal is
16 debated on 2nd reading amendments may be offered from the floor. The chief clerk
17 shall have amendments offered from the floor drawn in proper form as soon as
18 possible and before the proposal is subsequently engrossed and delivered to a
19 committee or to the assembly. This provision does not delay action upon an
20 amendment offered from the floor.

21 **SECTION 10.** Senate rule 55 is amended to read:

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

25 (END)

2011-2012 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0462/linsRC
RAC:.....

Insert 4-1:

SECTION 1. Senate rule 36 (1m) (b) is amended to read: ✓

✕ SENATE RULE 36 (1m) (b) Whenever a senate proposal[✓] is introduced or offered or petition and referred or an assembly proposal is received and referred on a day on which the senate does not meet, the chief clerk's act of recording the proposal in the journal under rule ~~46~~[✓](1)(b) constitutes the proposal's first reading.



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-0462/1
RAC:kj/frs

Tuesday

RMR

dy's

2011 SENATE RESOLUTION

repeal conf.

1 **To repeal** senate rule 46 (1) (b); **to renumber** senate rule 46 (1) (a); **to renumber**
2 **and amend** senate rule 36 (1m); **to amend** senate rule 36 (1m) (b), senate rule
3 46 (title), senate rule 46 (2) (a), senate rule 46 (2) (am), senate rule 49 and senate
4 rule 55; and **to create** senate rule 18m and senate rule 46 (3); **relating to:** the
5 senate rules.

Analysis by the Legislative Reference Bureau

This resolution makes the following substantive changes to the senate rules:

Consent calendar

The resolution authorizes the senate committee on organization to establish a consent calendar, which may consist of any bill, joint resolution, or resolution in the committee and that is available for scheduling. Certain proposals are excluded, such as proposals reported out of a standing committee with a recommendation to adopt an amendment; joint resolutions proposing an amendment to the constitution; resolutions proposing the expulsion of a member; bills for which the question is passage notwithstanding the objections of the governor; and bills authorizing bonded indebtedness and extraordinary expenditures.

Under the resolution, a member may object to consideration of any proposal on a consent calendar by voicing an objection and identifying the proposal. The proposal is then removed from the consent calendar. Those proposals for which no objection is heard are then voted on en masse by roll call vote. Consideration of the consent calendar is not debatable. In addition, a quorum of three-fifths of the members elected is required for purposes of voting on the consent calendar.

First reading of petitions

The resolution clarifies that whenever a senate petition is offered and referred, the referral by the president constitutes the proposal's first reading.

Confidentiality of pending proposals

The resolution provides that the senate chief clerk must maintain the confidentiality of any proposal that is pending referral, but permits, if requested by ~~a member~~, the chief clerk to inform the ~~member~~ of the status of a proposal pending referral.

any person

member person

Referral of notice and report concerning proposed administrative rules

The resolution requires the referral of every notice and report concerning a proposed administrative rule received by the president of the senate to the appropriate standing committee of the senate within ten working days following receipt. Current rules provide that the referral must be within seven working days.

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Adverse committee action on proposals

The resolution clarifies that if adverse action on a proposal is recommended by a committee, that question is put first.

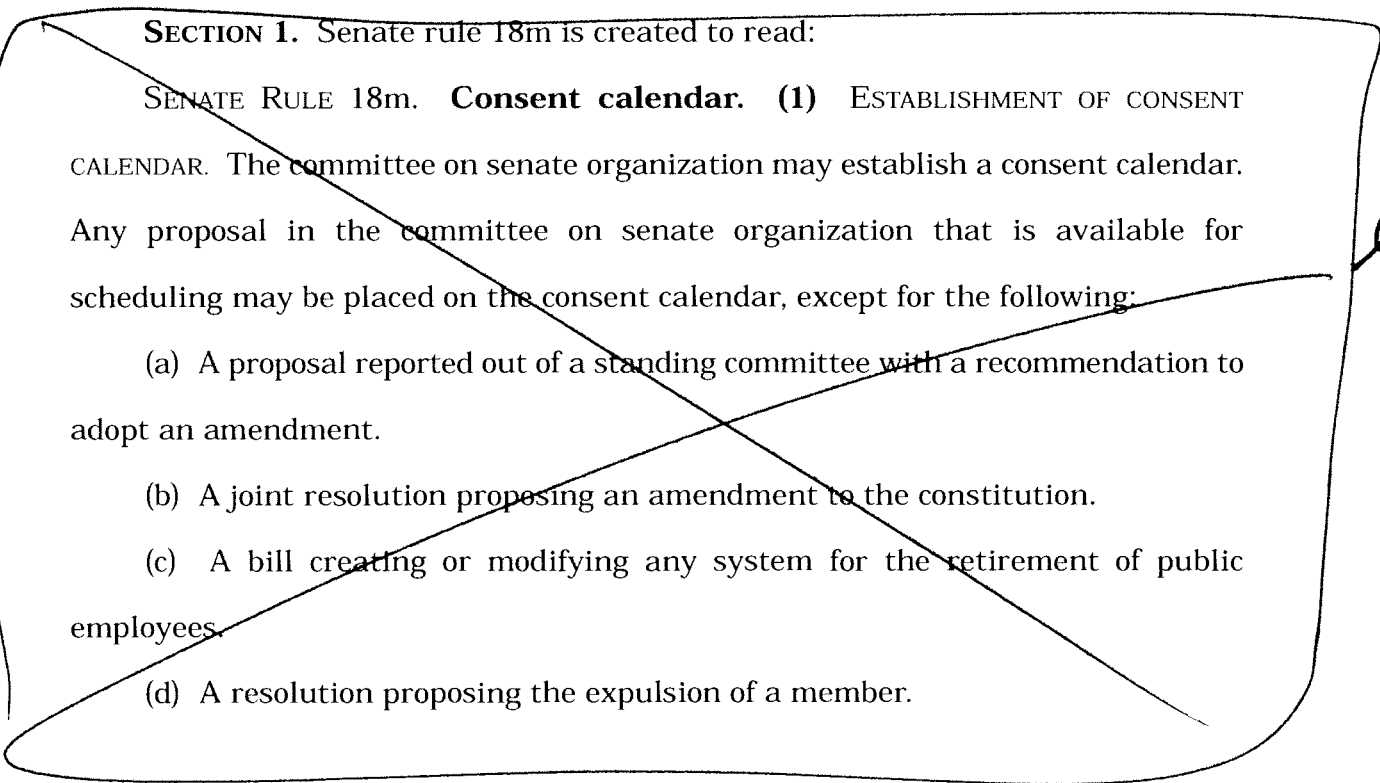
Resolved by the senate, That:

SECTION 1. Senate rule 18m is created to read:

SENATE RULE 18m. **Consent calendar.** (1) ESTABLISHMENT OF CONSENT CALENDAR. The committee on senate organization may establish a consent calendar. Any proposal in the committee on senate organization that is available for scheduling may be placed on the consent calendar, except for the following:

- (a) A proposal reported out of a standing committee with a recommendation to adopt an amendment.
- (b) A joint resolution proposing an amendment to the constitution.
- (c) A bill creating or modifying any system for the retirement of public employees.
- (d) A resolution proposing the expulsion of a member.

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1 (e) A bill for which the question is passage notwithstanding the objections of
2 the governor.

3 (f) A bill authorizing bonded indebtedness that is subject to section 7 of article
4 8 of the constitution.

5 (g) A bill authorizing extraordinary expenditures that is subject to section 8 of
6 article 8 of the constitution.

7 **(2) DISTRIBUTION OF CONSENT CALENDAR.** The consent calendar shall be
8 distributed to members at the same time as the daily calendar.

9 **(3) CONSIDERATION OF CONSENT CALENDAR.** (a) The consent calendar shall be
10 taken up as the last item under the 10th order of business. The presiding officer shall
11 notify the members that the senate is on the consent calendar. Immediately
12 following the notification, a member may object to consideration of any proposal on
13 the consent calendar by voicing an objection and identifying the proposal. If
14 objection is heard, the proposal is removed from the consent calendar, returned to the
15 amendable stage, and scheduled for consideration on the remainder of the daily
16 calendar.

17 (b) Immediately following the presiding officer's notification under par. (a),
18 those proposals for which no objection is heard shall be voted on en masse by roll call
19 vote. Consideration of the consent calendar is not debatable. A quorum of
20 three-fifths of the members elected is required for purposes of voting on the consent
21 calendar.

22 (c) Consideration of any proposal on the consent calendar serves as the 2nd and
23 3rd readings of the proposal. The chief clerk shall record as a single entry in the daily
24 journal all senate action for the proposals on the senate calendar for which a vote is
25 taken.

1 **SECTION 2.** Senate rule 36 (1m) is renumbered senate rule 36 (1m) (a) and is
2 amended to read:

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

6 **SECTION 3.** Senate rule 36 (1m) (b) is amended to read:

7 SENATE RULE 36 (1m) (b) Whenever a senate proposal or petition is introduced
8 or offered and referred or an assembly proposal is received and referred on a day on
9 which the senate does not meet, the chief clerk's act of recording the proposal in the
10 journal ~~under rule 46 (1) (b)~~ constitutes the proposal's first reading.

11 **SECTION 4.** Senate rule 46 (title) is amended to read:

12 SENATE RULE 46 (title) **Presentation, introduction, and offering of**
13 **proposals and other matters.**

14 **SECTION 5.** Senate rule 46 (1) (a) is renumbered senate rule 46 (1).

15 **SECTION 6.** Senate rule 46 (1) (b) is repealed.

16 **SECTION 7.** Senate rule 46 (2) (a) is amended to read:

17 SENATE RULE 46 (2) (a) The chief clerk shall advise the president of documents
18 presented under sub. (1) that must be referred under the rules and the president
19 shall promptly refer the document to the appropriate committee. The chief clerk
20 shall maintain the confidentiality of any proposal presented under sub. (1) that is
21 pending referral, except that, if requested by ~~any person~~ ^{ANY PERSON}, the chief clerk shall inform
22 the ~~member~~ ^{PERSON} of the status of a proposal pending referral under this paragraph.

23 **SECTION 8.** Senate rule 46 (2) (am) is amended to read:

24 SENATE RULE 46 (2) (am) The president shall refer every notice and report
25 concerning a proposed administrative rule received by the presiding officer under

1 section 227.19 of the statutes to the appropriate standing committee of the senate
2 within 7 10 working days following receipt and provide notice to that committee
3 whenever the president is informed that a proposed rule is being withdrawn. The
4 president shall refer any report received from a standing committee that objects to
5 a proposed rule to the joint committee for review of administrative rules.

6 **SECTION 9.** Senate rule 46 (3) is created to read:

7 **SENATE RULE 46 (3)** The chief clerk shall promptly record in the journal the date
8 on which each proposal, substitute amendment, and amendment is introduced or
9 offered. The date of introduction or offering is as follows:

10 (a) For a bill, when it is referred under sub. (2) (a).

11 (b) For a joint resolution or resolution, other than a resolution that is privileged
12 under rule 69, when it is referred under sub. (2) (a).

13 (c) For a resolution that is privileged under rule 69, when it is presented to the
14 chief clerk under sub. (1).

15 (d) For a substitute amendment or amendment, other than one introduced by
16 committee, when the substitute amendment or amendment is presented to the chief
17 clerk under sub. (1).

18 (e) For a substitute amendment or amendment introduced by committee, when
19 the committee report under rule 27 (1) is filed.

20 **SECTION 10.** Senate rule 49 is amended to read:

21 **SENATE RULE 49.** Amendments shall be numbered in the order received, and
22 shall bear the name of the member or the committee offering the same. Amendments
23 shall be prepared in proper form by the legislative reference bureau, and ~~must be~~
24 ~~offered in compliance with rule 29~~ the legislative reference bureau shall attach jacket
25 cover sheets (stripes) to the amendments; except that when the proposal is debated

1 on 2nd reading amendments may be offered from the floor. The chief clerk shall have
2 amendments offered from the floor drawn in proper form as soon as possible and
3 before the proposal is subsequently engrossed and delivered to a committee or to the
4 assembly. This provision does not delay action upon an amendment offered from the
5 floor.

6 **SECTION 11.** Senate rule 55 is amended to read:

7 SENATE RULE 55. If adverse action on a proposal is recommended by a
8 committee, that question is put first. However, the senate may direct the
9 consideration of amendments, but adoption of amendments does not change the
10 question.

11 (END)

Per Rob Marchant

2011 - 2012 Legislature

- 2 -

LRB-0462/2
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Dates of introduction or offering of proposals and amendments

The resolution clarifies the dates on which the senate chief clerk is to record in the journal the introduction and offering of bills, joint resolutions, resolutions, substitute amendments, and amendments.

Adverse committee action on proposals

The resolution clarifies that if adverse action on a proposal is recommended by a committee, that question is put first.

Resolved by the senate, That:

SECTION 1. Senate rule 36 (1m) is renumbered senate rule 36 (1m) (a) and is amended to read:

SENATE RULE 36 (1m) (a) Whenever a senate proposal or petition 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.

SECTION 2. Senate rule 36 (1m) (b) is amended to read:

SENATE RULE 36 (1m) (b) Whenever a senate proposal or petition is introduced or offered and referred or an assembly proposal is received and referred on a day on which the senate does not meet, the chief clerk's act of recording the proposal in the journal ~~under rule 46 (1) (b)~~ constitutes the proposal's first reading.

SECTION 3. Senate rule 46 (title) is amended to read:

SENATE RULE 46 (title) **Presentation, introduction, and offering of proposals and other matters.**

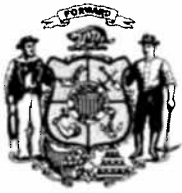
SECTION 4. Senate rule 46 (1) (a) is renumbered senate rule 46 (1).

SECTION 5. Senate rule 46 (1) (b) is repealed.

SECTION 6. Senate rule 46 (2) (a) is amended to read:

SENATE RULE 46 (2) (a) The chief clerk shall advise the president of documents presented under sub. (1) that must be referred under the rules and the president shall promptly refer the document to the appropriate committee. The chief clerk

If requested by any person, the president shall inform the person of the status of a proposal pending referral under this paragraph.



State of Wisconsin
2011 - 2012 LEGISLATURE



LRB-0462/2

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2011 SENATE RESOLUTION

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1 **To repeal** senate rule 46 (1) (b); **to renumber** senate rule 46 (1) (a); **to renumber**
2 **and amend** senate rule 36 (1m); **to amend** senate rule 36 (1m) (b), senate rule
3 46 (title), senate rule 46 (2) (a), senate rule 46 (2) (am), senate rule 49 and senate
4 rule 55; and **to create** senate rule 18m and senate rule 46 (3); **relating to:** the
5 senate rules.

Analysis by the Legislative Reference Bureau

This resolution makes the following substantive changes to the senate rules:

First reading of petitions

The resolution clarifies that whenever a senate petition is offered and referred, the referral by the president constitutes the proposal's first reading.

Confidentiality of pending proposals

The resolution provides that the senate chief clerk must maintain the confidentiality of any proposal that is pending referral, but permits, if requested by any person, the chief clerk to inform the person of the status of a proposal pending referral.

Referral of notice and report concerning proposed administrative rules

The resolution requires the referral of every notice and report concerning a proposed administrative rule received by the president of the senate to the appropriate standing committee of the senate within ten working days following receipt. Current rules provide that the referral must be within seven working days.

Insent Analysis

Dates of introduction or offering of proposals and amendments

The resolution clarifies the dates on which the senate chief clerk is to record in the journal the introduction and offering of bills, joint resolutions, resolutions, substitute amendments, and amendments.

Adverse committee action on proposals

The resolution clarifies that if adverse action on a proposal is recommended by a committee, that question is put first.

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

2 **SECTION 1.** Senate rule 36 (1m) is renumbered senate rule 36 (1m) (a) and is
3 amended to read:

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

7 **SECTION 2.** Senate rule 36 (1m) (b) is amended to read:

8 SENATE RULE 36 (1m) (b) Whenever a senate proposal or petition is introduced
9 or offered and referred or an assembly proposal is received and referred on a day on
10 which the senate does not meet, the chief clerk's act of recording the proposal in the
11 journal ~~under rule 46 (1) (b)~~ constitutes the proposal's first reading.

12 **SECTION 3.** Senate rule 46 (title) is amended to read:

13 SENATE RULE 46 (title) **Presentation, introduction, and offering of**
14 **proposals and other matters.**

15 **SECTION 4.** Senate rule 46 (1) (a) is renumbered senate rule 46 (1).

16 **SECTION 5.** Senate rule 46 (1) (b) is repealed.

17 **SECTION 6.** Senate rule 46 (2) (a) is amended to read:

18 SENATE RULE 46 (2) (a) The chief clerk shall advise the president of documents
19 presented under sub. (1) that must be referred under the rules and the president
20 shall promptly refer the document to the appropriate committee. The chief clerk

1 shall maintain the confidentiality of any proposal presented under sub. (1) that is
2 pending referral, except that, if requested by any person, the chief clerk shall inform
3 the person of the status of a proposal pending referral under this paragraph. ↗

4 **SECTION 7.** Senate rule 46 (2) (am) is amended to read:

5 SENATE RULE 46 (2) (am) The president shall refer every notice and report
6 concerning a proposed administrative rule received by the presiding officer under
7 section 227.19 of the statutes to the appropriate standing committee of the senate
8 within 7 10 working days following receipt and provide notice to that committee
9 whenever the president is informed that a proposed rule is being withdrawn. The
10 president shall refer any report received from a standing committee that objects to
11 a proposed rule to the joint committee for review of administrative rules.

12 **SECTION 8.** Senate rule 46 (3) is created to read:

13 SENATE RULE 46 (3) The chief clerk shall promptly record in the journal the date
14 on which each proposal, substitute amendment, and amendment is introduced or
15 offered. The date of introduction or offering is as follows:

16 (a) For a bill, when it is referred under sub. (2) (a).

17 (b) For a joint resolution or resolution, other than a resolution that is privileged
18 under rule 69, when it is referred under sub. (2) (a).

19 (c) For a resolution that is privileged under rule 69, when it is presented to the
20 chief clerk under sub. (1).

21 (d) For a substitute amendment or amendment, other than one introduced by
22 committee, when the substitute amendment or amendment is presented to the chief
23 clerk under sub. (1).

24 (e) For a substitute amendment or amendment introduced by committee, when
25 the committee report under rule 27 (1) is filed.

Amend 3-3

2011-2012 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0462/3ins
RAC:kjf:md

Insert Analysis:

Not

In addition, if requested by any person, the president shall inform the person of the status of a proposal pending referral.

Insert 3-3:

Not

In addition, if requested by any person, the president shall inform the person of the status of a proposal pending referral under this paragraph.

Duerst, Christina

From: Marchant, Robert
Sent: Thursday, December 30, 2010 12:05 PM
To: LRB.Legal
Subject: Draft Review: LRB 11-0462/3 Topic: Senate Rules

RUSH. Please.

Thanks.

Please Jacket LRB 11-0462/3 for the SENATE.