

State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-0128/P4
RAC:kjf@wlj.jm

P5

FRI 9:00 am

RMR
/eev

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
2013 SENATE RESOLUTION

-reym cat

1 **To renumber** senate rule 7 (2) to (5); **to renumber and amend** senate rule 7 (1);
2 **to amend** senate rule 4 (6), senate rule 7 (title), senate rule 13m (4), senate rule
3 13m (8), senate rule 17 (6), senate rule 20 (1) (b) 2., senate rule 25 (1) (a), senate
4 rule 46 (2) (c), senate rule 69 and senate rule 99 (77); and **to create** senate rule
5 18 (1b), senate rule 25 (5), senate rule 25 (6), senate rule 56m (title), senate rule
6 56m (1) and senate rule 56m (2m); **relating to:** the senate rules.

Analysis by the Legislative Reference Bureau

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

Order and decorum

The resolution clarifies that the president and presiding officer must enforce on all occasions the observance of order and decorum in the senate chamber, not just among the senators.

Definition of senate chamber

The resolution provides that the parlor is included within the definition of "senate chamber" for all purposes of the senate rules.

Display of signs and other objects

The resolution provides that individuals in the gallery may not display signs or other objects. Currently, the prohibition applies only to signs.

Insert
Analysis

Use of electronic devices

The resolution provides that individuals in the gallery must turn off all electronic devices. Currently, the requirement applies only to cellular telephones and pagers.

Points of order

The resolution clarifies that when a point of order is raised, and the point of order concerns a proposal or a question currently pending on such proposal, taking the point of order under advisement removes the proposal from further consideration until the presiding officer announces the ruling on the point of order.

Messages from the assembly

The resolution provides that messages from the assembly or from the governor may be received and read, and any proposal referenced in the messages that is an assembly proposal initially received for consideration of the senate shall be referred and any other proposals referenced in the messages shall be taken up immediately unless referred by the presiding officer to a standing committee or to the calendar. Under current rules, no proposals referenced in the message may be immediately taken up by the senate.

Committee on Senate Organization chairperson

The resolution provides that when the two major political parties are represented in the senate by equal representation, the former majority leader shall serve as chairperson of the Committee on Senate Organization.

Conduct of individuals in senate meeting rooms

The resolution provides that, unless otherwise ordered by a committee chairperson, an individual in any room in which a senate meeting is being conducted must be quiet at all times; must be seated at all times; and may not display signs or other objects.

Rereferral of proposals and appointments

The resolution permits the president, with the consent of the chairperson of the Committee on Senate Organization, to withdraw a proposal or appointment from the standing committee to which it is referred and rerefer it to another standing committee. Currently, the president also needs the consent of the chairperson of the standing committee.

Senate rules and committee proceedings

The resolution provides that, insofar as applicable, the rules of the senate apply to the procedures of standing committees and special committees.

Resolutions to change senate rules

The resolution clarifies that after the senate rules have been established at the commencement of the biennial session, any resolution to change the senate rules must lay over one week, regardless of whether the resolution is privileged.

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

2 **SECTION 1.** Senate rule 4 (6) is amended to read:

1 SENATE RULE 4 (6) Enforce on all occasions the observance of order and decorum
2 ~~among the members in the senate chamber.~~

3 SECTION 2. Senate rule 7 (title) is amended to read:

4 SENATE RULE 7 (title) **Presiding officer to preserve order; appeal.**

5 SECTION 3. Senate rule 7 (1) is renumbered senate rule 7 and is amended to
6 read:

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

11 SECTION 4. Senate rule 7 (2) to (5) are renumbered senate rule 56m (2) to (5).

12 SECTION 5. Senate rule 13m (4) is amended to read:

13 SENATE RULE 13m (4) May not display signs or other objects. If an individual
14 brings a sign to the chamber, the sign shall be left in the gallery vestibule.

15 SECTION 6. Senate rule 13m (8) is amended to read:

16 SENATE RULE 13m (8) Shall turn off all ~~cellular telephones and pagers~~ electronic
17 devices.

Insert 3-18

18 SECTION 7. Senate rule 17 (6) is amended to read:

19 SENATE RULE 17 (6) Any action that would occur on the 2nd, 3rd, 4th, 5th, 6th,
20 7th, or 8th order of business during a daily session, but that actually occurs after the
21 completion of the applicable order of business on that day, is considered to have
22 occurred on the applicable order of business for the purpose of producing the journal.

23 SECTION 8. Senate rule 18 (1b) is created to read:

24 SENATE RULE 18 (1b) Messages from the assembly or from the governor may be
25 received and read, and any proposal referenced in the messages that is an assembly

1 proposal initially received for consideration of the senate shall be referred and any
2 other proposals referenced in the messages shall be taken up immediately unless
3 referred by the presiding officer to a standing committee or to the calendar.

4 **SECTION 9.** Senate rule 20 (1) (b) 2. is amended to read:

5 SENATE RULE 20 (1) (b) 2. The former majority and minority leaders and former
6 majority and minority assistant leaders. The former majority leader shall be the
7 chairperson.

8 **SECTION 10.** Senate rule 25 (1) (a) is amended to read:

9 SENATE RULE 25 (1) (a) A chairperson who determines to hold a hearing shall
10 schedule the hearing as early ~~in the session~~ as practicable.

11 **SECTION 11.** Senate rule 25 (5) is created to read:

12 SENATE RULE 25 (5) Unless otherwise order by the chairperson, an individual
13 in any room in which a senate meeting is being conducted:

14 (a) Shall be quiet at all times.

15 (b) Shall be seated at all times.

16 (c) May not display signs or other objects.

17 **SECTION 12.** Senate rule 25 (6) is created to read:

18 SENATE RULE 25 (6) Insofar as applicable, the rules of the senate apply to the
19 procedures of standing committees and special committees.

20 **SECTION 13.** Senate rule 46 (2) (c) is amended to read:

21 SENATE RULE 46 (2) (c) After the time of initial referral by the president under
22 rule 36 (2), the president may, with the consent of the ~~chairperson of the standing~~
23 ~~committee and the~~ chairperson of the committee on senate organization, withdraw
24 a proposal or appointment from the standing committee to which it is referred and
25 rerefer it to another standing committee, except that such a withdrawal may not take

1 effect during the 7 days preceding any scheduled committee hearing or the 7 days
2 following the date on which a committee hearing is held. Rereferral under this rule
3 may be made at any time, but may not be used to satisfy section 13.093 (1) of the
4 statutes.

5 **SECTION 14.** Senate rule 56m (title) is created to read:

6 **SENATE RULE 56m (title) Points of order.**

7 **SECTION 15.** Senate rule 56m (1) is created to read:

8 **SENATE RULE 56 (1)** The presiding officer may speak to points of order in
9 preference to others, rising for that purpose; and shall decide questions of order,
10 subject to an appeal by a member, on which appeal each member may speak once not
11 to exceed 5 minutes.

12 **SECTION 16.** Senate rule 56m (2m) is created to read:

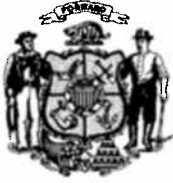
13 **SENATE RULE 56 (2m)** When the point of order concerns a proposal or a question
14 currently pending on such proposal, taking the point of order under advisement
15 removes the proposal from further consideration until the presiding officer
16 announces the ruling on the point of order.

17 **SECTION 17.** Senate rule 69 is amended to read:

18 **SENATE RULE 69. Privileged motion or resolution.** ~~A- Except as provided~~
19 in rule 90, a motion or resolution relating to the organization or proceedings of the
20 senate, or to any of its officers, members, or committees, is privileged in that it need
21 not lie over for consideration, but may be taken up immediately unless referred to
22 the calendar or committee. Any such resolution shall be read at length unless copies
23 of the full text of the resolution have been distributed to the members.

24 **SECTION 18.** Senate rule 99 (77) is amended to read:

Insert 5-24



2013 SENATE RESOLUTION

1 **Relating to:** conduct of individuals in senate spaces.

(B), (I)

Admittance to senate spaces

Analysis by the Legislative Reference Bureau provides

This resolution ~~amends the senate rules to provide~~ that if a law enforcement officer issues a citation to an individual for behavior in senate spaces that violates senate rules or provisions in the senate policy manual, the individual is not allowed admittance to any senate space for a period of 90 days after the date on which the citation is issued. If a law enforcement officer issues a second citation to an individual for such behavior during the same biennial legislative session, the individual is not allowed admittance to any senate space for the remainder of the biennial legislative session. The resolution provides that senate spaces specifically include the senate chamber, senate offices, senate hearing rooms, and any other space in the capitol that is traditionally reserved for the conduct of senate business.

Andy 5/13

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

3 **SECTION 1.** Senate rule 13r is created to read:

4 **SENATE RULE 13r. Admittance to senate spaces.** If a law enforcement officer
5 issues a citation to an individual for behavior in senate spaces that violates senate
6 rules or provisions in the senate policy manual, the individual is not allowed
7 admittance to any senate space for a period of 90 days after the date on which the

3-18



1 citation is issued. If a law enforcement officer issues a 2nd citation to an individual
2 for such behavior during the same biennial legislative session, the individual is not
3 allowed admittance to any senate space for the remainder of the biennial legislative
4 session. Senate spaces shall specifically include the senate chamber, senate offices,
5 senate hearing rooms, and any other space in the capitol that is traditionally
6 reserved for the conduct of senate business.

end of
3-18

7 **SECTION 2.** Senate rule 99 (10) is amended to read:

8 SENATE RULE 99 (10) CERTIFICATE OR CITATION: A formal legislative document
9 of commendation, congratulations, or condolences, but not including a citation
10 issued by a law enforcement officer.

5-24

11

(END)

Champagne, Rick

From: Richard, Rob
Sent: Friday, January 04, 2013 11:01 AM
To: Champagne, Rick
Subject: RE: Senate Omnibus Rules Changes -- "/P5"

I think we're ready. Please do the /1

Rob Richard
Office of Senator Scott Fitzgerald
Senate Republican Leader
608-266-5660

From: Champagne, Rick
Sent: Friday, January 04, 2013 6:59 AM
To: Richard, Rob
Subject: RE: Senate Omnibus Rules Changes -- "/P5"

Rob, good catch. I will fix it when we do the next version or turn this into "/1". Let me know when.

Rick

From: Richard, Rob
Sent: Thursday, January 03, 2013 4:09 PM
To: Champagne, Rick
Subject: RE: Senate Omnibus Rules Changes -- "/P5"

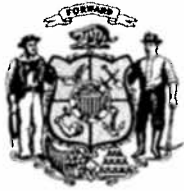
Rick:

I think I caught a minor grammatical error. On page 5, line 8, should "order" actually read "ordered"?

Rob Richard
Office of Senator Scott Fitzgerald
Senate Republican Leader
608-266-5660

From: Champagne, Rick
Sent: Thursday, January 03, 2013 3:46 PM
To: Richard, Rob
Subject: Senate Omnibus Rules Changes -- "/P5"

<< File: 13-0128/P5 >>



Today

Stays RMR

~~PRELIMINARY DRAFT~~ NOT READY FOR INTRODUCTION

2013 SENATE RESOLUTION

-rejecat

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 2 **to amend** senate rule 4 (6), senate rule 7 (title), senate rule 13m (4), senate rule
 3 13m (8), senate rule 17 (6), senate rule 20 (1) (b) 2., senate rule 25 (1) (a), senate
 4 rule 46 (2) (c), senate rule 69, senate rule 99 (10) and senate rule 99 (77); and
 5 **to create** senate rule 13r, senate rule 18 (1b), senate rule 25 (5), senate rule 25
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This resolution makes the following substantive changes to the senate rules:

Admittance to senate spaces

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provides that senate spaces specifically include the senate chamber, senate offices, senate hearing rooms, and any other space in the capitol that is traditionally reserved for the conduct of senate business.

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The resolution clarifies that the president and presiding officer must enforce on all occasions the observance of order and decorum in the senate chamber, not just among the senators.

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

2 **SECTION 1.** Senate rule 4 (6) is amended to read:

3 SENATE RULE 4 (6) Enforce on all occasions the observance of order and decorum
4 among the members in the senate chamber.

5 **SECTION 2.** Senate rule 7 (title) is amended to read:

6 SENATE RULE 7 (title) **Presiding officer to preserve order; appeal.**

7 **SECTION 3.** Senate rule 7 (1) is renumbered senate rule 7 and is amended to
8 read:

9 SENATE RULE 7. The presiding officer shall preserve order and decorum; ~~may~~
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12 ~~member may speak once not to exceed 5 minutes.~~

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16 brings a sign to the chamber, the sign shall be left in the gallery vestibule.

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1 SENATE RULE 13m (8) Shall turn off all ~~cellular telephones and pagers~~ electronic
2 devices.

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4 SENATE RULE 13r. **Admittance to senate spaces.** If a law enforcement officer
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9 for such behavior during the same biennial legislative session, the individual is not
10 allowed admittance to any senate space for the remainder of the biennial legislative
11 session. Senate spaces shall specifically include the senate chamber, senate offices,
12 senate hearing rooms, and any other space in the capitol that is traditionally
13 reserved for the conduct of senate business.

14 **SECTION 8.** Senate rule 17 (6) is amended to read:

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

19 **SECTION 9.** Senate rule 18 (1b) is created to read:

20 SENATE RULE 18 (1b) Messages from the assembly or from the governor may be
21 received and read, and any proposal referenced in the messages that is an assembly
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24 referred by the presiding officer to a standing committee or to the calendar.

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2 majority and minority assistant leaders. The former majority leader shall be the
3 chairperson.

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5 SENATE RULE 25 (1) (a) A chairperson who determines to hold a hearing shall
6 schedule the hearing as early ~~in the session~~ as practicable.

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15 procedures of standing committees and special committees.

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18 rule 36 (2), the president may, with the consent of the ~~chairperson of the standing~~
19 ~~committee and the~~ chairperson of the committee on senate organization, withdraw
20 a proposal or appointment from the standing committee to which it is referred and
21 rerefer it to another standing committee, except that such a withdrawal may not take
22 effect during the 7 days preceding any scheduled committee hearing or the 7 days
23 following the date on which a committee hearing is held. Rereferral under this rule
24 may be made at any time, but may not be used to satisfy section 13.093 (1) of the
25 statutes.

1 **SECTION 15.** Senate rule 56m (title) is created to read:

2 SENATE RULE 56m (title) **Points of order.**

3 **SECTION 16.** Senate rule 56m (1) is created to read:

4 SENATE RULE 56 (1) The presiding officer may speak to points of order in
5 preference to others, rising for that purpose; and shall decide questions of order,
6 subject to an appeal by a member, on which appeal each member may speak once not
7 to exceed 5 minutes.

8 **SECTION 17.** Senate rule 56m (2m) is created to read:

9 SENATE RULE 56 (2m) When the point of order concerns a proposal or a question
10 currently pending on such proposal, taking the point of order under advisement
11 removes the proposal from further consideration until the presiding officer
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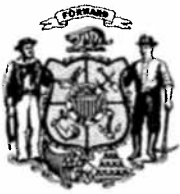
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18 the calendar or committee. Any such resolution shall be read at length unless copies
19 of the full text of the resolution have been distributed to the members.

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21 SENATE RULE 99 (10) CERTIFICATE OR CITATION: A formal legislative document
22 of commendation, congratulations, or condolences, but not including a citation
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24 **SECTION 20.** Senate rule 99 (77) is amended to read:



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-0128/1
RAC:kjf/wlj/eev:jm

Naw

RMK

2013 SENATE RESOLUTION

Regen

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18 SENATE RULE 13m (8) Shall turn off all ~~cellular telephones and pagers~~ electronic
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21 referred by the presiding officer to a standing committee or to the calendar.

22 **SECTION 10.** Senate rule 20 (1) (b) 2. is amended to read:

23 SENATE RULE 20 (1) (b) 2. The former majority and minority leaders and former
24 majority and minority assistant leaders. The former majority leader shall be the
25 chairperson.

Insert 4-10

1 **SECTION 11.** Senate rule 25 (1) (a) is amended to read:

2 SENATE RULE 25 (1) (a) A chairperson who determines to hold a hearing shall
3 schedule the hearing as early ~~in the session~~ as practicable.

4 **SECTION 12.** Senate rule 25 (5) is created to read:

5 SENATE RULE 25 (5) Unless otherwise ordered by the chairperson, an individual
6 in any room in which a senate meeting is being conducted:

7 (a) Shall be quiet at all times.

8 (b) Shall be seated at all times.

9 (c) May not display signs or other objects.

10 **SECTION 13.** Senate rule 25 (6) is created to read:

11 SENATE RULE 25 (6) Insofar as applicable, the rules of the senate apply to the
12 procedures of standing committees and special committees.

13 **SECTION 14.** Senate rule 46 (2) (c) is amended to read:

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

23 **SECTION 15.** Senate rule 56m (title) is created to read:

24 SENATE RULE 56m (title) **Points of order.**

25 **SECTION 16.** Senate rule 56m (1) is created to read:

1 SENATE RULE 56 (1) The presiding officer may speak to points of order in
2 preference to others, rising for that purpose; and shall decide questions of order,
3 subject to an appeal by a member, on which appeal each member may speak once not
4 to exceed 5 minutes.

5 **SECTION 17.** Senate rule 56m (2m) is created to read:

6 SENATE RULE 56 (2m) When the point of order concerns a proposal or a question
7 currently pending on such proposal, taking the point of order under advisement
8 removes the proposal from further consideration until the presiding officer
9 announces the ruling on the point of order.

10 **SECTION 18.** Senate rule 69 is amended to read:

11 SENATE RULE 69. **Privileged motion or resolution.** ~~A~~ Except as provided
12 in rule 90, a motion or resolution relating to the organization or proceedings of the
13 senate, or to any of its officers, members, or committees, is privileged in that it need
14 not lie over for consideration, but may be taken up immediately unless referred to
15 the calendar or committee. Any such resolution shall be read at length unless copies
16 of the full text of the resolution have been distributed to the members.

17 **SECTION 19.** Senate rule 99 (10) is amended to read:

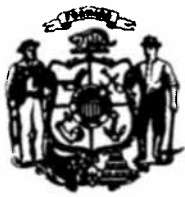
18 SENATE RULE 99 (10) CERTIFICATE OR CITATION: A formal legislative document
19 of commendation, congratulations, or condolences, but not including a citation
20 issued by a law enforcement officer.

21 **SECTION 20.** Senate rule 99 (77) is amended to read:

22 SENATE RULE 99 (77) SENATE CHAMBER: The entire area south of the
23 northern-most doors of the senate, including the floor, staff lobby, parlor, press lobby,
24 visitor's galleries, and hallways, but excluding the offices of the senate officers.

25

(END)



2013 SENATE RESOLUTION

1 **To amend** senate rule 99 (10); and **to create** senate rule 13r; **relating to:** conduct
2 of individuals in senate spaces.

Analysis by the Legislative Reference Bureau

This resolution amends the senate rules to provide that if a law enforcement officer issues a citation to an individual for behavior in senate spaces that violates senate rules or provisions in the senate policy manual, the individual is not allowed admittance to any senate space for a period of 90 days after the date on which the citation is issued. If a law enforcement officer issues a second citation to an individual for such behavior during the same biennial legislative session, the individual is not allowed admittance to any senate space for the remainder of the biennial legislative session. The resolution provides that senate spaces specifically include the senate chamber, senate offices, senate hearing rooms, and any other space in the capitol that is traditionally reserved for the conduct of senate business.

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

4 **SECTION 1.** Senate rule 13r is created to read:

5 **SENATE RULE 13r. Admittance to senate spaces.** If a law enforcement officer
6 issues a citation to an individual for behavior in senate spaces that violates senate
7 rules or provisions in the senate policy manual, the individual is not allowed

4-10

1 admittance to any senate space for a period of 90 days after the date on which the
2 citation is issued. If a law enforcement officer issues a 2nd citation to an individual
3 for such behavior during the same biennial legislative session, the individual is not
4 allowed admittance to any senate space for the remainder of the biennial legislative
5 session. Senate spaces shall specifically include the senate chamber, senate offices,
6 senate hearing rooms, and any other space in the capitol that is traditionally
7 reserved for the conduct of senate business. This section shall not be construed to
8 prevent any senator who is issued a citation from fulfilling his or her constitutional
9 duties in any senate space.

10 SECTION 2. Senate rule 99 (10) is amended to read:

11 SENATE RULE 99 (10) CERTIFICATE OR CITATION: A formal legislative document
12 of commendation, congratulations, or condolences, but not including a citation
13 issued by a law enforcement officer.

14 (END)