



## 2013 SENATE RESOLUTION 3

January 15, 2013 – Introduced by Senators S. FITZGERALD, ELLIS and GROTHMAN.

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 69 and senate rule 99 (77); and **to create** senate rule 13r, senate rule 18  
5             (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.

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### *Analysis by the Legislative Reference Bureau*

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

#### ***Admittance to senate spaces***

The resolution provides that any individual who violates senate rules or policies or provisions in the senate policy manual in a senate space may be removed from the senate space and not be allowed admittance to any senate spaces for a period of 24 hours. For a second violation, the individual may be removed from the senate space and not be allowed admittance to any senate spaces until the first roll call day of the next regularly scheduled floorperiod. For a third violation, the individual may be removed from the senate space and not be allowed admittance to any senate spaces for the remainder of the biennial legislative session. The resolution specifically provides that senate spaces 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.

***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.

***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. Any other proposals referenced in the messages shall be taken up immediately unless referred by the presiding officer to a standing committee. 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.

***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.

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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~~  
10 ~~speak to points of order in preference to others, rising for that purpose; and shall~~  
11 ~~decide questions of order, subject to an appeal by a member, on which appeal each~~  
12 ~~member may speak once not to exceed 5 minutes.~~

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

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

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

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

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

20           **SECTION 7.** Senate rule 13r is created to read:

21           SENATE RULE 13r. **Admittance to senate spaces.** (1) Any individual who  
22 violates senate rules or policies or provisions in the senate policy manual in a senate

1 space may be removed from the senate space and not be allowed admittance to any  
2 senate spaces for a period of 24 hours.

3 (2) Any individual who violates senate rules or policies or provisions in the  
4 senate policy manual in a senate space a 2nd time during a biennial legislative  
5 session may be removed from the senate space and not be allowed admittance to any  
6 senate spaces until the first roll call day of the next regularly scheduled floorperiod.

7 (3) Any individual who violates senate rules or policies or provisions in the  
8 senate policy manual in a senate space a 3rd time during a biennial legislative  
9 session may be removed from the senate space and not be allowed admittance to any  
10 senate spaces for the remainder of the biennial legislative session.

11 (4) 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 (5) This section shall not be construed to prevent any senator from fulfilling his  
15 or her constitutional duties in any senate space.

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

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

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

22 SENATE RULE 18 (1b) Messages from the assembly or from the governor may be  
23 received and read, and any proposal referenced in the messages that is an assembly  
24 proposal initially received for consideration of the senate shall be referred. Any other

1 proposals referenced in the messages shall be taken up immediately unless referred  
2 by the presiding officer to a standing committee.

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

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

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

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

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

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

13 (a) Shall be quiet at all times.

14 (b) Shall be seated at all times.

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

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

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

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

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

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

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

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

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

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

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

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

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

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(END)