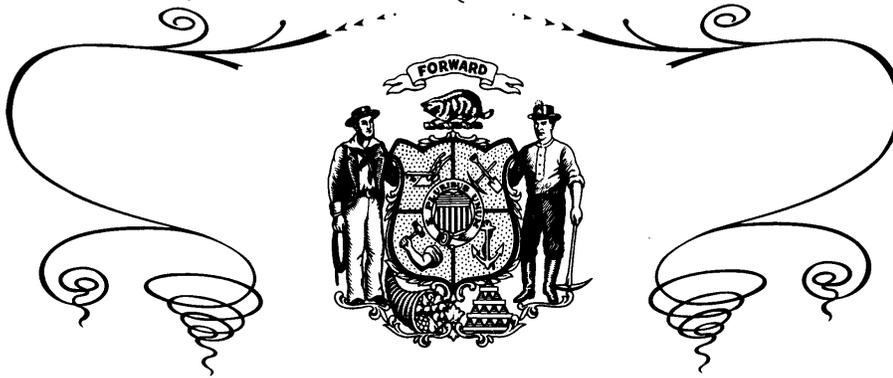


State of Wisconsin



SENATE RULES *

As last affected by 2013 Senate Resolution 3
Adopted January 15, 2013

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* Under Senate Rule 94 (3) (a), a pamphlet of this type will be printed within one week following the adoption of any resolution making significant changes in the senate rules.

The senate rules were last readopted by 1979 Senate Resolution 2 on January 3, 1979. Subsequent changes, enacted by 1979 Senate Resolutions 3 and 4, 1981 Senate Resolutions 2, 19, 22, and 27, 1983 Senate Resolutions 4, 9, 11, and 13, 1985 Senate Resolutions 2 and 6, 1987 Senate Resolutions 2, 3, and 6, 1989 Senate Resolutions 2 and 3, 1991 Senate Resolution 2, 1993 Senate Resolutions 2, 3, and 7, 1995 Senate Resolution 2, 1997 Senate Resolution 2, 1999 Senate Resolution 2, 2001 Senate Resolution 2, 2003 Senate Resolution 3, 2003 Senate Resolution 21, 2005 Senate Resolution 2, 2007 Senate Resolution 2, 2009 Senate Resolution 2, 2011 Senate Resolution 3, and 2013 Senate Resolution 3 are recorded in the notes following the affected rules.

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SENATE RULES

As last affected by 2013 Senate Resolution 3
(Adopted January 15, 2013)

Chapter 1: OFFICERS – ELECTION AND DUTIES

SENATE RULE 1. **President; president pro tempore.** (1) The senate shall elect, by roll call vote, one of its members to serve as president and one to serve as president pro tempore. The president and president pro tempore shall serve for the biennial session unless separated by death, resignation, or removal by the adoption of a resolution by a majority of the current membership.

(2) The president is the senate's presiding officer and shall authenticate by personal signature all of the acts, orders, and proceedings of the senate.

[rn. from S.Rule 2; (title), (1) and (2) am. 1979 S.Res. 3]

[(1) am. 1981 S.Res. 27]

[(title) and (1) am. 1985 S.Res. 2]

[(2) am. 2001 S.Res. 2]

[(1) am. 2003 S.Res. 3]

SENATE RULE 1m. **Presiding officer and committee on senate organization.** (1) The presiding officer shall, in general, represent and stand for the senate, declaring its will, and in all things obeying its commands.

(2) Every officer of the senate is subordinate to the committee on senate organization and, in all that relates to the discharge of that officer's duties, is under the supervision of the committee on senate organization.

(3) For staffing and budget purposes related to the operation of all senate offices, all senators are subordinate to the committee on senate organization.

[rn. from S.Rule 1 (3); (title) cr., (2) am. 2001 S.Res. 2]

[(2) am. 2003 S.Res. 3]

[(title) am. 2005 S.Res. 2]

[(3) cr. 2005 S.Res. 2]

SENATE RULE 2. **Substitute president.** (1) When the president is absent or unable to preside over the senate sitting in session, the president pro tempore may preside and assume all of the duties enumerated under rule 4. The substitution does not extend beyond adjournment and ends upon the president's return or the election of a new president.

(2) When the president and president pro tempore are absent or unable to preside, the senate shall elect, by roll call vote, one of its members to temporarily perform all of the duties enumerated under rule 4 until the president or president pro tempore returns and is able to preside.

(3) The presiding officer may call any member to the chair to temporarily perform all of the duties enumerated under rule 4, but the substitution does not extend beyond an adjournment or the return of the president.

[cr. 1979 S.Res. 3]
[(1) and (2) am. 1993 S.Res. 3]
[(2) and (3) am. 2001 S.Res. 2]
[am. 2003 S.Res. 3]
[(3) am. 2005 S.Res. 2]

SENATE RULE 3. Duties of president pro tempore and majority leader. When the president is separated by death, resignation, or removal from office, or is otherwise unable to serve, all of the powers and duties of the president not enumerated in rule 4 devolve upon the president pro tempore until a president is elected. When both the president and president pro tempore are separated by death, resignation, or removal from office, or are otherwise unable to serve, all of the powers and duties of the president not enumerated under rule 4 devolve upon the majority leader until a president is elected.

[r.cr. 1979 S.Res. 3]
[am. 1993 S.Res. 3]
[am. 2001 S.Res. 2]

SENATE RULE 3m. Voting by presiding officer. A senator may not be excused from voting on a question by reason of occupying the chair.

[cr. 1979 S.Res. 3]
[am. 2001 S.Res. 2]

SENATE RULE 4. Duties of president and presiding officer. The presiding officer shall:

- (1) Open the daily session, at the time to which adjournment is taken, by taking the chair and calling the members to order.
- (2) Announce the business before the senate in the order in which it is to be acted upon.
- (3) Receive and submit, in the proper manner, all motions and propositions presented by the members.
- (4) Put to vote all questions that are regularly moved, or that necessarily arise in the course of proceedings, and announce the result.
- (5) Restrain the members while engaged in debate, within the rules of order.

(6) Enforce on all occasions the observance of order and decorum in the senate chamber.

(7) Inform the senate when necessary, or when referred to for that purpose, on any point of order or procedure.

(8) Receive messages and other communications from other branches of the government, and announce them to the senate.

[am. 2003 S.Res. 3]
[am. 2005 S.Res. 2]
[(6) am. 2013 S.Res. 3]

SENATE RULE 5. Chief clerk. (1) At the commencement of each biennial session, the senate shall elect, by roll call vote, a chief clerk of the senate. The chief clerk shall hold office for the full 2-year term of the legislature and until a successor is elected and qualified on the day of convening of the next legislature as established under section [13.02 \(1\)](#) of the statutes unless separated by death, resignation, or removal by the vote of a majority of the actual present membership of the senate.

(2) The chief clerk shall:

(a) Superintend the recording of the journals of the proceedings and determine the placement and order of the proceedings in the journals.

(b) Supervise the engrossing and enrolling of senate proposals by the legislative reference bureau.

(c) Prepare and publish for reproduction its daily journal after the adjournment of each daily session, and, if so directed by the president or as necessary, on any day on which the senate does not meet.

(d) Ensure that records or papers belonging to the legislature are not removed from the custody of the chief clerk's office except as required in the regular course of business.

(3) The chief clerk is responsible for all official acts of the employees assigned to that office, and may designate one of those employees as assistant chief clerk, who has general supervision under the direction of the chief clerk and in the temporary absence of the chief clerk has all of the powers and duties of the chief clerk. The assistant chief clerk shall take the oath of office as provided under joint rule [81 \(1\) \(a\)](#). If the chief clerk is separated by death, resignation, or removal from office, the assistant chief clerk may exercise all of the powers and shall carry out all of the duties of the chief clerk until a chief clerk is elected.

(4) (a) When the president, president pro tempore, majority leader, and assistant majority leader are absent or unable to preside over the senate sitting in session and the senate does not elect a substitute president under

rule 2 (2), the chief clerk shall perform all of the duties enumerated under rule 4.

(b) In order to comply with joint rule 13 and section 10 of article IV of the constitution, the chief clerk may perform all of the duties enumerated under rule 4, except that no business may be transacted in any session convened under this paragraph without the consent of the senate majority leader and the senate minority leader.

[am.; (4) cr. 1983 S.Res. 4]
[(2)(c) am. 1995 S.Res. 2]
[(2)(b), (c), (d) and (4) am. 2001 S.Res. 2]
[(1), (2)(c), (3) and (4) am. 2003 S.Res. 3]
[(title), (3) am. 2005 S.Res. 2]
[(4) rn.am. 2005 S.Res. 2]
[(4)(b) cr. 2005 S.Res. 2]
[(2)(a) am. 2007 S.Res. 2]
[(2)(c) am. 2009 S.Res. 2]

SENATE RULE 6. **Sergeant at arms.** (1) At the commencement of each biennial session, the senate shall elect, by roll call vote, a sergeant at arms of the senate. The sergeant at arms shall hold office for the full 2-year term of the legislature and until a successor is elected and qualified on the day of convening of the next legislature as established under section 13.02 (1) of the statutes unless separated by death, resignation, or removal by the vote of a majority of the actual present membership of the senate.

(2) The sergeant at arms shall:

(a) Carry out all orders of the senate or its presiding officer.

(b) Perform all the duties that may be assigned to the sergeant connected with the maintenance of decorum and good order in the chamber.

(c) Supervise the coming and going of all persons to and from the chamber.

(d) Enforce the provisions of rule 11 relating to lobbyists and lobbying.

(e) Provide for the prompt delivery of messages from or within the senate.

(f) Ensure that the chamber is properly ventilated and is open for the use of the members as directed by the presiding officer or from one hour preceding each daily session until one hour after that day's adjournment.

(g) Perform all other services pertaining to the office of sergeant at arms.

(h) Enforce the provisions of rule 13m relating to conduct of individuals in the gallery.

(3) The sergeant at arms is under the supervision of the chief clerk and the compensation of the sergeant at arms shall be determined by the chief clerk.

*[(1) am. 1983 S.Res. 4]
 [(1) and (2)(b) am. 2003 S.Res. 3]
 [(title) am. 2005 S.Res. 2]
 [(3) cr. 2005 S.Res. 2]
 [(2)(h) cr. 2009 S.Res. 2]*

Chapter 2: ORDER AND DECORUM

SENATE RULE 7. Presiding officer to preserve order. The presiding officer shall preserve order and decorum.

*[am. 2001 S.Res. 2]
 [rn.am. from S.Rule 7 (1); (title) am. 2013 S.Res. 3]*

SENATE RULE 8. Conduct while sitting in session. (1) Members, officers, and employees shall wear appropriate attire while the senate is sitting in session. Appropriate attire for men includes the wearing of a coat.

(2) While the presiding officer is addressing the senate, or submitting a question, a member may not cross the floor or leave the senate. While a member is speaking, a member may not walk between the speaking member and the presiding officer.

(3) A member or other person may not visit or remain by the clerk's table while the ayes and noes are being called. A member may not leave his or her seat or be disturbed by any other person while the ayes and noes are being called.

(4) A member or other person may not, within the senate chamber, read newspapers, periodicals, magazines, books, or similar materials, unless the publication is relevant to the debate on the senate floor, or consume food, beverages, or tobacco products.

(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.

*[(2) and (3) am.; (4) r.cr. 1985 S.Res. 2]
 [(1) am. 1995 S.Res. 2]
 [am. 2001 S.Res. 2]
 [(1) am. 2003 S.Res. 3]
 [(4) am. 2005 S.Res. 2]
 [(5) cr. 2007 S.Res. 2]*

SENATE RULE 11. Who may be admitted to the floor; recording proceedings; listing of visitors. (1) Persons of the following classes,

and no others, shall be admitted to that portion of the floor of the senate where the members sit in session: the governor, the lieutenant governor, members of the legislature, members of the staff of the sergeant at arms, and designated members of the chief clerk's staff.

(2) Persons of the following classes, and no others, shall be admitted to that portion of the floor of the senate designated as the staff lobby while the senate is sitting in session: state officers, employees of either house of the legislature, of legislative committees, and of legislative service agencies while engaged in the performance of their duties, members of congress, justices of the supreme court, and former members of the legislature.

(3) However, none of those persons in subs. (1) and (2) who are registered as lobbyists or engaged in defeating or promoting any pending legislation have the privilege of the floor of the senate.

(4) A former senator or other person who is directly or indirectly interested in defeating or promoting any pending legislation, whether registered as a lobbyist or not, does not have the privilege of the floor of the senate at any time.

(5) All accredited correspondents of the news media, who confine themselves to their professional duties, have the privilege of the floor of the senate, except that while the senate is sitting in session the privilege extends only to the press lobby.

(6) Persons who are not specified in subs. (1) to (5) may be invited on the floor of the senate by the committee on senate organization.

(7) No persons other than members of the chief clerk's staff, members of the staff of the sergeant at arms, members of a senator's staff, and accredited correspondents of the news media may engage in any audio or video recording of the proceedings of the senate or any committee without permission of the committee on senate organization.

(8) 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.

(9) 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.

[(6) am. 1987 S.Res. 2, 1993 S.Res. 3]

[(2) to (6) am. 2001 S.Res. 2]

[(2), (3) and (5) am. 2003 S.Res. 3]

[(title) am. 2005 S.Res. 2]

[(7) cr. 2005 S.Res. 2]

*[(title) am. 2007 S.Res. 2
[(8) cr. 2007 S.Res. 2]
[(9) cr. 2007 S.Res. 2]*

SENATE RULE 12. Privileges of senate to contestants for seats. Contestants for seats have the privilege of the senate until their respective cases are disposed of. The privilege extends only so far as access to the chamber, during the time occupied in settling the contest.

*[am. 2001 S.Res. 2]
[am. 2003 S.Res. 3]*

SENATE RULE 13. Disturbance in lobby. Whenever any disturbance or disorderly conduct occurs on the senate floor or in the lobby or gallery, the presiding officer may order the same cleared of all persons except members and officers.

*[am. 2001 S.Res. 2]
[am. 2003 S.Res. 3]
[am. 2003 S.Res. 21]
[am. 2007 S.Res. 2]*

SENATE RULE 13m. Conduct of individuals in the gallery. Unless otherwise provided by the presiding officer, individuals in the gallery:

- (1) Shall be quiet at all times.
- (2) Shall be seated at all times.
- (3) May not lean over or put any object over the balcony.
- (4) May not display signs or other objects. If an individual brings a sign to the chamber, the sign shall be left in the gallery vestibule.
- (5) May not read books or newspapers.
- (6) May not consume food or beverages.
- (7) May not use tobacco products.
- (8) Shall turn off all electronic devices.
- (9) May not use a laptop or other computer.
- (10) May not photograph any of the proceedings in the chamber.

*[cr. 2009 S.Res 2]
[(4) and (8) am. 2013 S.Res. 3]*

SENATE RULE 13n. Imposing penalties on senators who are absent without leave. (1) **PENALTY.** A member of the senate who is absent from 2 or more session days without obtaining a leave of absence under rule 16 shall do all of the following:

- (a) Forfeit to the senate \$100 for each day that the member is absent without leave. Amounts under this paragraph shall be paid exclusively from the member's personal funds.

(b) Reimburse to the senate the actual costs incurred in compelling the attendance of the member. The chief clerk shall calculate the costs and submit the result to the president. Amounts under this paragraph shall be paid exclusively from the member's personal funds.

(2) PROCESS. (a) The penalties and costs under sub. (1) are imposed by a senate resolution that identifies the member who is absent without leave. A resolution under this paragraph is a privileged resolution and may be offered by any member of the senate at any time during the legislative session in which the absence without leave occurs.

(b) Publication of a senate calendar that includes the resolution serves as notice to the member who is absent without leave that the member is subject to the penalties and costs under sub. (1). The president may provide additional notice to the member who is absent without leave by requiring the sergeant at arms to deliver a copy of both the calendar and the resolution to the senate office of the member who is absent without leave.

(c) A member of the senate who is identified in a resolution under this subsection shall be given an opportunity to be heard on the resolution only on the session day on which the resolution is before the senate. If the member is absent on that day, the member waives his or her opportunity to be heard on the resolution.

(3) COLLECTION AND COMPULSION. (a) If a member who owes the penalties and costs imposed under subs. (1) and (2) has not paid those amounts in full within 30 days after the day on which a resolution under sub. (2) is adopted, the chief clerk shall withhold any payments due to the member for per diem, travel expenses, or other matters, not including salary, in an amount equal to the unpaid penalties and costs.

(b) When a member of the senate is absent without leave from 2 or more session days, the senate majority leader, with the consent of the committee on senate organization, may do any of the following to compel the absent member to attend:

1. Direct the chief clerk to terminate the direct deposit of the absent member's paycheck and provide the paycheck to the majority leader for the absent member to pick up in person.

2. Direct the chief clerk to cease any and all expense reimbursements for the absent member that are paid out of the member's office expense account until a date specified or the end of the legislative biennium, whichever is earlier.

3. Direct the chief clerk to reduce or zero out the balance of the absent member's office expense account for the remainder of the legislative biennium.

4. Direct the sergeant at arms to revoke the parking privileges allocated to the absent member, and the member's staff, for the remainder of the legislative biennium.

[cr. 2011 S.Res. 3]

SENATE RULE 13r. Admittance to senate spaces. (1) 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.

(2) Any individual who violates senate rules or policies or provisions in the senate policy manual in a senate space a 2nd time during a biennial legislative session 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.

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

(4) Senate spaces shall 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.

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

[cr. 2013 S.Res. 3]

Chapter 3: ORDER OF BUSINESS

SENATE RULE 14. Hour for meeting. The senate shall meet at 10 a.m. on Tuesday and Thursday unless a different day or hour is prescribed by the committee on senate organization or by a resolution or motion adopted by majority vote of the members present. This section shall not apply to a senate session that is convened to prevent a violation of section 10 of [article IV of the constitution](#).

[am. 2001 S.Res. 2]

[am. 2007 S.Res. 2]

[am. 2009 S.Res. 2]

SENATE RULE 15. Roll call, quorum. Before proceeding to business, the roll of the members shall be called, and the names of those present and

those absent shall be entered on the journal. A member present during any part of a roll call day shall be included in the official attendance roll call for that day. A majority of the membership presently serving must be present to constitute a quorum for the transaction of business; a smaller number, however, can adjourn and may compel the attendance of absent members. When a roll call discloses the lack of a quorum, further business may not be conducted until a quorum is obtained, but the members present may take measures to procure a quorum or may adjourn.

[am. 2001 S.Res. 2]
[am. 2009 S.Res. 2]

SENATE RULE 16. Leave of absence. Members of the senate may not be absent from the daily session during the entire day without first obtaining a leave of absence. The leave may be granted at any time by a majority vote of the senate.

[am. 2001 S.Res. 2]
[am. 2003 S.Res. 3]

SENATE RULE 17. Order of business. (1) Following any opening prayer and the pledge of allegiance, the order of business in the senate is as follows:

- (a) *First order.* Call of roll.
- (b) *Second order.* Chief clerk's entries.
- (c) *Third order.* Introduction, first reading, and reference of proposals.
- (d) *Fourth order.* Reports of committees.
- (e) *Fifth order.* Petitions and communications.
- (f) *Sixth order.* Referrals and receipt of committee reports concerning proposed administrative rules.
- (g) *Seventh order.* Advice and consent of the senate.
- (h) *Eighth order.* Messages from the assembly.
- (i) *Ninth order.* Special orders.
- (j) *Tenth order.* Consideration of motions, resolutions, and joint resolutions not requiring a 3rd reading.
- (k) *Eleventh order.* Second reading and amendment of senate joint resolutions and senate bills.
- (L) *Twelfth order.* Second reading and amendment of assembly joint resolutions and assembly bills.
- (m) *Thirteenth order.* Third reading of joint resolutions and bills.
- (n) *Fourteenth order.* Motions may be offered.
- (o) *Fifteenth order.* Announcements, adjournment honors, and remarks under special privilege.

(p) *Sixteenth order.* Adjournment.

(2) A proposal or other matter may be made a special order for a specified date and time by the committee on senate organization or by two-thirds of the members present. Once established, a special order can be postponed to a future date or time only by the committee on senate organization or by two-thirds of the members present. When the time for the special order has arrived and the special order is announced by the presiding officer, or attention thereto is called by any member, the special order has precedence over the regular orders of business. Whenever the rules are suspended to advance such proposal or other matter to a subsequent stage, its precedence as a special order continues. Whenever any such special order is under consideration, it shall not be interrupted by the arrival of the time for the consideration of another special order.

(3) Special orders, once established, continue to be special orders, and when laid over under the rules are special orders on their proper calendar, unless otherwise ordered by the senate. Subsequent special orders shall be considered in their chronological order and their priority over regular orders on the calendars remains.

(4) With the prior consent of the majority leader and the minority leader and upon the motion by one of them under any order of business at any time, any member may be granted the floor for the purpose of introducing former members, state officers, and other persons of unusual achievement as guests of the senate. The member making the introduction shall submit in writing to the chief clerk the names of the guests so introduced.

(4m) Members may submit to the chief clerk in writing a listing of individuals who witnessed a part of the day's meeting or in whose honor the members would like to adjourn. The list, together with the record of the guests introduced on that legislative day under sub. (4), shall be entered at the end of the day's journal.

(5) Any member wishing to have his or her name added or removed as a coauthor or cosponsor of a proposal or amendment shall provide the chief clerk with a written request to do so prior to the proposal being messaged. The chief clerk shall promptly record the request in the journal and include the request in the official history of the proposal. An oral request during the proceedings of the senate to be made, or to be removed as, a coauthor or cosponsor of a proposal or amendment is not in order.

(6) Any action that would occur on the 2nd, 3rd, 4th, 5th, 6th, 7th, or 8th 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 journal.

[(1) r.cr. 1981 S.Res. 2]
[(1)(o) am., (1)(p) cr. 1987 S.Res. 2]
[(1)(o) am. 1989 S.Res. 3]
[(2) am. 1987 S.Res. 3, 1993 S.Res. 3]
[(1)(o) am. 1995 S.Res. 2]
[(1)(f), (2) and (3) am. 2001 S.Res. 2]
[(1)(intro.), (b) and (c) am. 2003 S.Res. 3]
[(5) cr. 2005 S.Res. 2]
[(1)(c) am. 2007 S.Res. 2]
[(1)(j) am. 2007 S.Res. 2]
[(6) cr. 2007 S.Res. 2]
[(1)(f) and (g) r.cr. 2009 S.Res. 2]
[(4m) m.a. from S.Rule 32 (2) 2009 S.Res. 2]
[(6) am. 2013 S.Res. 3]

SENATE RULE 18. **Daily calendar.** (1) All proposals, appointments, or other business, referred to a committee and reported by it to the senate or withdrawn from it by the senate, all proposals or amendments received from the assembly for senate concurrence, and all reports from conference committees and veto messages received by the senate, shall be placed in the committee on senate organization. Any such business deposited with the chief clerk on a day when the senate does not meet may be placed in the committee on senate organization immediately. The committee on senate organization shall establish a calendar at least 18 hours prior to the commencement of the session to which the calendar applies, but the distributed calendar, as provided under sub. (2), may not be changed within such 18-hour period. In establishing a calendar under this subsection, the committee on senate organization shall place a proposal, appointment, or other business on the calendar when directed to do so by a majority vote of the senate.

(1b) 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.

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

(2) The sergeant at arms shall distribute a copy of the calendar to all members before the calendar is acted upon.

(3) The distributed calendar shall show the business scheduled to be taken up on the current day, organized according to the orders of business established by rule 17 (1). For proposals on 2nd reading, the calendar shall show all pending committee reports.

(4) Unless otherwise ordered, after completion of the 9th order of business of the current calendar day, and before consideration of the 10th and succeeding orders, unfinished calendars shall be taken up and completed.

(5) Every proposal ordered engrossed and read a 3rd time, unless otherwise ordered by the senate, shall be taken up under the 13th order of business on the senate's next business day.

[(1) and (2) am. 1987 S.Res. 2, 1993 S.Res. 3]

[(2) and (3) am. 1995 S.Res. 2]

[(1), (2), (4) and (5) am. 2001 S.Res. 2]

[(1) am. 2003 S.Res. 3]

[(1), (2) and (3) am. 2005 S.Res. 2]

[(1) am. 2007 S.Res. 2]

[(1m) cr. 2007 S.Res. 2]

[(1b) cr. 2013 S.Res. 3]

SENATE RULE 19. Committee of the whole. During the consideration of any proposal or other matter, the senate may, on motion, which motion is debatable, resolve itself into a committee of the whole for the consideration of the proposal or other matter. The rules of the senate govern, as far as practicable, the proceedings in committee of the whole, except that a member may speak more than twice on the same subject; that a call for the ayes and noes or for the previous question cannot be made in the committee; the committee may not recess; and may not postpone to a future time a subject before it for consideration. The committee shall elect one of its members as chairperson of the committee of the whole.

[am. 2001 S.Res. 2]

SENATE RULE 20. Standing committees of senate. (1) (a) Except as provided in par. (b), the members of the committee on senate organization are:

1. The majority leader as chairperson.
2. The president.
3. The assistant majority leader.
4. The minority leader.
5. The assistant minority leader.

(b) If the 2 major political parties are represented in the senate by equal membership, the members of the committee on senate organization are:

1. The president.

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

3. The former minority caucus chairperson.

(c) The other standing committees of the senate shall be created by the committee on senate organization as near to the commencement of the biennial session as possible.

(2) (a) The chairperson of the committee on senate organization, as near to the commencement of the biennial session as possible, shall make and report to the senate all committee appointments of members of the majority and minority parties. The chairperson of the committee on senate organization shall designate a chairperson for each senate committee and joint committee.

(b) With regard to members of any minority party, the appointments shall be based on nominations by the leader of that party.

(c) The majority and minority parties of the senate shall be represented on all senate standing committees and on all joint standing committees on the basis prescribed by the chairperson of the committee on senate organization, but at least in proportion to the representation of the 2 major political parties in the membership of the senate unless, for the senate membership of a joint committee, such proportional representation places the senate majority party in a minority position on the joint committee.

(3) (a) The members of the senate committee for review of administrative rules are the senate members of the statutory joint committee for review of administrative rules.

(b) When the joint committee for review of administrative rules fails to report a proposal referred to it by the senate, the proposal may be referred to the senate by the senate committee for review of administrative rules.

(4) (a) The members of the senate committee on finance are the senate members of the joint committee on finance.

(b) When the joint committee on finance fails to report a proposal referred to it by the senate, the proposal may be returned to the senate by the senate committee on finance.

(5) Each member shall serve on at least one senate or joint standing committee or joint survey committee.

(6) If senate seats are vacant, assignments to standing committees may be reserved for the senators who are to fill the vacancies, or current

members may be designated to fill the vacant assignments temporarily in addition to their regular standing committee assignments until the new senators have been elected and qualified.

(7) 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 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.

*[(1)(a) am., (1)(c) cr. 1993 S.Res. 2]
 [(1)(a), (c) and (d) am., (1)(b) cr., (1)(e) r.cr. 1993 S.Res. 3]
 [(2) am. 1979 S.Res. 3, 4; 1981 S.Res. 2, 19, 27;
 1983 S.Res. 4, 9, 11, 13; 1985 S.Res. 2, 6; 1987
 S.Res. 2, 6; 1989, 1991, 1993 S.Res. 2; 1993 S.Res. 3]
 [(3)(a) and (4)(a) am. 1993 S.Res. 3]
 [(7) cr. 1979 S.Res. 4; am. 1987 S.Res. 2, 1993 S.Res. 3]
 [(1) and (2) rc. 1995 S.Res. 2]
 [(1)(b)1., (3) to (7) am. 2001 S.Res. 2]
 [(1)(c) and (2)(a) am. 2003 S.Res. 3]
 [(7) am. 2005 S.Res. 2]
 [(7) am. 2007 S.Res. 2]
 [(1)(b)2. am. 2013 S.Res. 3]*

SENATE RULE 20m. Committees of conference. The president shall appoint the senate members of committees of conference.

*[cr. 2001 S.Res. 2]
 [am. 2003 S.Res. 3]*

SENATE RULE 21. Special committees. All special committees shall be created by the committee on senate organization, designating the number and object, and be appointed by the chairperson of the committee on senate organization. The member first named is the chairperson of the special committee.

*[am. 1995 S.Res. 2]
 [am. 2001 S.Res. 2]
 [am. 2003 S.Res. 3]*

SENATE RULE 22. Advice and consent of the senate. (1) Whenever a nomination for an appointment is submitted to the senate, as required by law, the president shall refer the nomination to the standing committee that the president deems to be the most appropriate committee to pass

upon the qualifications of the candidate. The committee shall report its findings and recommendations to the senate in writing. Nominations may be considered, and the persons so nominated may with the advice and consent of the senate be appointed during any session of the senate.

(2) On the question of the confirmation of appointments, the vote shall be taken by ayes and noes, which shall be entered upon the journal. The question of confirmation of the appointments is not subject to a motion for reconsideration under rule 67. The senate may, but is not required to, act upon an appointment resubmitted to the senate when the identical appointment has once been refused confirmation by the senate. The chief clerk shall record the cumulative status of all appointments in the bulletin of proceedings. The senate shall inform the governor and the assembly of the senate's final action on confirmation of a nomination for appointment that requires assembly confirmation.

*[(2) am. 1995 S.Res. 2]
[am. 2001 S.Res. 2]
[(2) am. 2003 S.Res. 3]
[(1) am. 2005 S.Res. 2]
[(1) and (2) am. 2009 S.Res. 2]*

SENATE RULE 23. Committee not to be absent. Members of a committee, except a conference committee, may not be absent by reason of their appointment during the sitting of the senate, without special leave.

[am. 2001 S.Res. 2]

SENATE RULE 24. Committee quorum; subcommittees. A majority of any committee constitutes a quorum for the transaction of business. For the purpose of determining a quorum of a committee necessary to transact business, and with the consent of the committee chairperson, a member who is connected to a meeting of the committee via teleconference is considered present. Subcommittees may be appointed to take charge of any part of the committee's business and to report to the committee. Motions to reconsider may be made in committee, before the papers are reported to the senate. Rereference gives the committee full power to act without reconsidering its former action.

*[am. 1997 S.Res.2]
[am. 2001 S.Res. 2]
[am. 2005 S.Res. 2]*

SENATE RULE 25. Business in committees; notice of meeting. (1) (a) A chairperson who determines to hold a hearing shall schedule the hearing as early as practicable.

(b) Except as provided in par. (d), public notice of every meeting of a committee shall be given at least 24 hours before the commencement of the meeting, unless the committee on senate organization determines that for good cause such notice is impossible or impractical. In no case may notice be provided less than 2 hours in advance of a meeting. A public notice may be amended at any time to delay the commencement of the meeting or to delete items from the agenda of the meeting.

(c) The public notice under par. (b) shall be posted on the bulletin board of each house. The notice shall indicate the day, hour, and place of the meeting and the number, author, and relating clause of each proposal to be considered. If unIntroduced legislation will be considered at the meeting, the notice shall indicate the draft number assigned to the legislation by the legislative reference bureau and the relating clause of the legislation, and shall indicate that copies of the draft legislation are available at the chief clerk's office. The chairperson shall provide a copy of the draft legislation to the chief clerk before publishing the notice. The chief clerk shall distribute copies of the draft legislation to any person who requests such copies. Whenever a scheduled meeting is canceled, the chairperson shall immediately notify the chief clerk and post cancellation notices on the bulletin boards of each house.

(d) Paragraph (b) does not apply to any meeting of the committee on senate organization that is called solely for the purpose of scheduling business before the senate or adopting resolutions of which the sole purpose is scheduling business before the senate or assembly.

(2) Except as provided under rules 41 (1) (e) and 46 (2) (c), a proposal or other matter that has been referred to committee is within the sole jurisdiction of the majority of the committee. A directive with respect to the committee's action thereon, other than a motion to withdraw from the committee, is not in order.

(4) (a) A committee may not conduct an executive session on a proposal, amendment, appointment, or proposed administrative rule by polling unless the chairperson of the committee determines that voting by polling is necessary in an emergency for the preservation of the public peace, health, safety, or welfare. If the chairperson directs that an executive session is to be conducted by polling, the chairperson shall contact each committee member to allow the committee member to vote on all applicable motions.

(am) A committee may not conduct an executive session on a proposal, amendment, appointment, or proposed administrative rule by ballot unless the proposal, amendment, appointment, or proposed

administrative rule has lain over for at least 24 hours. The committee on senate organization may determine that for good cause such a layover is impossible or impractical. In no case, however, may a proposal, amendment, appointment, or proposed administrative rule be made available to the public less than 2 hours before a ballot is circulated. The ballots shall be in a form prescribed by the chief clerk.

(b) If a chairperson of a committee elects to vote by ballot under par. (am), public notice shall be posted on the bulletin board of each house prior to the circulation of the ballot. The notice shall indicate the day and hour when the ballot will be circulated and the number, author, and relating clause of each proposal to be considered. If un-introduced legislation will be considered, the notice shall indicate the draft number assigned to the legislation by the legislative reference bureau and the relating clause of the legislation, and shall indicate that copies of the draft legislation are available at the chief clerk's office. The chairperson shall provide a copy of the draft legislation to the chief clerk before posting the notice. The chief clerk shall distribute copies of the draft legislation to any person who requests such copies.

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

- (a) Shall be quiet at all times.
- (b) Shall be seated at all times.
- (c) May not display signs or other objects.

(6) Insofar as applicable, the rules of the senate apply to the procedures of standing committees and special committees.

[(1) am. 1995 S.Res. 2]
[am. 2001 S.Res. 2]
[am. 2005 S.Res. 2]
[(4) cr. 2007 S.Res. 2]
[(1)(b) and (4)(a) am. 2009 S.Res. 2]
[(4)(am) cr. 2009 S.Res. 2]
[(4)(b) r.cr. 2009 S.Res. 2]
[(1)(a) am.; (5) and (6) cr. 2013 S.Res. 3]

SENATE RULE 26. Schedule of committee activities. The chairperson of each senate committee shall file with the chief clerk a copy of each notice of a public hearing or executive session before that committee in accordance with rule 25 (1). The chairperson shall file the copy of the notice with the chief clerk immediately after posting the notice. All such

notices shall be published, on a daily basis, on the legislature's committee Internet Web site.

[am. 1995 S.Res. 2]
[am. 2001 S.Res. 2]
[am. 2005 S.Res. 2]
[r.cr. 2009 S.Res. 2]

SENATE RULE 27. Committee reports. (1) The chairperson of the committee to which any proposal is referred shall report, in the format specified by the chief clerk, the action of the committee and the date thereof, and shall authenticate the same by personal signature.

(2) Each committee to which a proposed administrative rule is referred under rule 46 (2) (am) shall submit a report within the review period specified in section 227.19 (4) (b) of the statutes in the form specified in this rule, authenticated by the personal signature of the chairperson or cochairpersons. Whenever a committee schedules a public hearing or a meeting with an agency representative concerning a proposed rule, or whenever modifications to a proposed rule are agreed to be made or received, the committee shall notify the chief clerk of the date of the event or action and this shall be recorded in the history file for the proposed administrative rule.

(3) Any amendment or substitute amendment submitted to a standing committee for the committee's consideration shall be reported out of committee only if adoption is recommended or if sub. (4) applies. An amendment or substitute amendment not reported out of committee may, upon motion, be revived by the vote of the majority of the members present while the proposal is still in the amendable stage.

(4) (a) A committee may report out a proposal or appointment without recommendation only if the vote is tied. The committee report shall indicate the numerical vote on the motion on which the recommendation is based.

(b) Notwithstanding par. (a), the chief clerk shall record in the journal that a proposal is reported without recommendation whenever the proposal is withdrawn from committee under rule 18 or 41 (1) (d).

(5) Whenever a proposal is reported by or withdrawn from committee, all amendments or substitute amendments to the proposal shall remain in the jacket envelope regardless of the committee's action thereon.

(6) 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.

This subsection shall not apply to proposals referred to and withdrawn from the joint committee on finance by the committee on senate organization under rule **41 (1) (e)**.

[(2), (4)(b) and (6) cr., (3), (4)(a) and (5) rn. 1981 S.Res. 2]

[(2), (4) and (5) am. 2001 S.Res. 2]

[(1), (3) and (4) am. 2003 S.Res. 3]

[(1), (2), (3) and (4)(b) am. 2005 S.Res. 2]

[(6) cr. 2007 S.Res. 2]

[(2) and (6) am. 2009 S.Res. 2]

SENATE RULE 28. Minority reports. Any member or members dissenting from a report of a committee may make a separate report stating the reasons and conclusions; and all reports, if decorous in language and respectful to the senate, shall be entered at length on the journal. Any minority report must be filed on the same or the next legislative day as the majority report or recommendation.

[am. 2001 S.Res. 2]

Chapter 4: PROPOSALS — PROCEDURE

SENATE RULE 29. Copies of proposals. The primary author of a proposal to be introduced or offered shall present copies of it to the chief clerk, enclosed in a jacket envelope as provided in rule **30**.

[am. 1991 S.Res. 2]

[am. 1995 S.Res. 2]

[am. 2001 S.Res. 2]

[am. 2003 S.Res. 3]

SENATE RULE 30. Filing of proposals. (1) The legislative reference bureau shall provide jacket envelopes of a suitable size to hold a proposal and the papers pertaining thereto, respectively, without folding or rolling. The clerk may not file any paper for any purpose, the cover of which has been either folded or rolled. The jacket envelopes must be distinguishable from those of the assembly by color.

(2) The legislative reference bureau shall enter the relating clause and drafting number of the proposal on the envelope, and the clerk shall enter the proposal number, the date on which it is introduced or offered, the name of the member or committee introducing or offering it, and the name of the committee of reference in the history file for the proposal. Only those documents specified by the chief clerk may be placed in the envelope.

(3) The chief clerk shall also enter in the history file for the proposal:

- (a) The date of each public hearing on the proposal.
- (b) All motions and the disposition thereof.
- (c) The date, and the resolution number, if any, of a request for an opinion of the attorney general on the proposal and the date on which the opinion was returned.
- (d) The reproduction of a proposal with all adopted amendments engrossed therein.
- (e) Any clerical correction of the proposal made as authorized by rule 31.
- (f) Any other appropriate information, as determined by the chief clerk.

[(1) am. 1991 S.Res. 2]
[(1), (2), (3) (intro.) and (d) am. 1995 S.Res. 2]
[(1), (2) and (3) am. 2001 S.Res. 2]
[(1) and (3)(a) am. 2003 S.Res. 3]
[(3)(f) cr. 2009 S.Res. 2]

SENATE RULE 31. Clerical corrections to proposals. (1) The chief clerk shall correct minor clerical errors in any proposal, such as errors in orthography or grammar, or the use of one word for another, such as “affect” for “effect,” wrong numbering or references, whether the errors occur in the original proposal or in any amendment thereto.

(2) The chief clerk shall insert the enacting or usual enabling clause in any proposal before its passage or adoption if the same has been omitted. When necessary, the chief clerk shall correct the title of any bill so that the title shows the sections affected, the subject to which the bill relates, and the making of an appropriation, if such is made by the bill.

(3) The chief clerk shall enter any corrections made by the clerk under this rule in the journal.

(4) The current edition of Webster’s New International Dictionary is the standard.

[(3) am. 1995 S.Res. 2]
[(1), (2) and (4) am. 2001 S.Res. 2]
[(1) and (2) am. 2003 S.Res. 3]

SENATE RULE 32. Reference to proposals and other matters. When first considered and thereafter each time that a proposal is considered after business relating to another subject has intervened, it shall be identified in the journal by number and relating clause. Thereafter all reference to the proposal or petition either in the journal or in messages must be by number only, except in the journal where the ayes and noes are entered.

[(1) and (2) am. 1995 S.Res. 2]
[am. 2001 S.Res. 2]

[am. 2003 S.Res. 3]
[am. 2005 S.Res. 2]
[rn. from S.Rule 32 (1) 2009 S.Res. 2]

SENATE RULE 33. Introduction or offering of new proposals; admissibility of identical proposals; admissibility of resolutions in special session. (1) A member may introduce or offer new proposals in accordance with rule 46 (1). Before a member introduces or offers a new proposal to the senate, the legislative reference bureau shall prepare the proposal in the proper form, and with the requisite number of copies for introduction or offering. A proposal may not be received if it contains handwritten changes in the copies prepared by the legislative reference bureau.

(2) A proposal identical with one already rejected may not be introduced or offered. However, an assembly bill or joint resolution that is identical to a senate bill or joint resolution previously rejected by the senate or any bill repealing a former act of the same biennial session may be introduced or offered.

[am. 2001 S.Res. 2]
[am. 2003 S.Res. 3]

SENATE RULE 34. Proposals to be on file one day before action. (1) All bills and joint resolutions, and all resolutions except those privileged for immediate consideration under rule 69, after introduction, must lay over at least 24 hours before being considered.

(2) The requirement for a one-day layover does not apply to amendments, but copies of the full text of each amendment shall be distributed to the members before adoption of the amendment.

[(1), (2) and (3) am. 1995 S.Res. 2]
[(2) to (4) am. 2001 S.Res. 2]
[(1) and (4) am. 2003 S.Res. 3]
[(1) am. 2007 S.Res. 2]
[(4) rn. 2009 S.Res. 2]

SENATE RULE 35. Three separate readings. Every bill, and every joint resolution proposing an amendment to the constitution, must receive 3 separate readings by relating clause prior to its passage except where otherwise provided, but may not receive 2 readings on the same day.

[am. 1995 S.Res. 2]
[am. 2003 S.Res. 3]

SENATE RULE 36. First reading; reference to committee. (1) On the first reading, every bill requiring 3 readings under rule 35 and all resolutions not privileged by rule 69 shall be referred to the appropriate

committee. The president shall determine the appropriate committee under rule 46 and the referral shall be printed in the journal under the proper order of business. This rule applies to proposals originating in either house.

(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.

(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 constitutes the proposal's first reading.

(2) (a) Except as provided in pars. (c) and (d), all bills introduced in the senate which by statute require reference in the senate to a particular committee shall be so referred upon first reading and all assembly bills when received from the assembly shall be so referred upon first reading except where the assembly record on the bill discloses that the statutory requirement has been satisfied by reference to the committee in the assembly.

(b) Only one such reference is required under this rule and the adoption of an amendment does not require rereference, but rereference may be ordered by the senate at any time before passage or concurrence or as provided under rules 41 (1) (e) and 46 (2) (c).

(c) Notwithstanding par. (a), the president may refer a bill that pertains only incidentally to a matter of concern to a joint survey committee directly to the committee appropriate to the major substance of that bill, and in that case shall direct the appropriate joint survey committee to prepare its report on the bill while that bill is in the possession of the other committee. This rule does not suspend the requirement that the report of the appropriate joint survey committee must be received before the bill is given its 2nd reading.

(2m) Bills referred to a statutory joint survey committee shall, upon report by that committee, be referred by the president to the appropriate standing committee of the senate.

(3) Whenever a proposal or other matter is referred to a special committee and the special committee makes its report thereon, the referral and report have the same effect as a reference to and a report by a standing committee.

*[(2) (c) cr. 1981 S.Res. 22]
[(1m) and (2m) cr., am. 2001 S.Res. 2]
[(1), (1m) and (2)(a) am. 2003 S.Res. 3]
[(1) and (2)(a) and (b) am. 2005 S.Res. 2]*

*[(1m) r.cr. 2007 S.Res. 2]
[(1m) rn., am. 2011 S.Res. 2]
[(1m) (b) am. 2011 S.Res. 2]*

SENATE RULE 37. Second reading; ordering to a 3rd reading. (1) Before a bill, or a joint resolution proposing an amendment to the constitution, is amended or ordered to a 3rd reading it shall be read a 2nd time by relating clause.

(2) All amendments to a proposal shall be retained in the original jacket for the proposal.

(3) Amendments to a substitute amendment already adopted are in order before the bill or resolution is ordered engrossed and read a 3rd time without reconsideration of the adoption of the substitute amendment.

(4) Any proposal ordered to a 3rd reading is considered engrossed.

*[(3) am. 2001 S.Res. 2]
[(2) and (3) am. 2003 S.Res. 3]
[(1) am. 2005 S.Res. 2]
[(4) cr. 2005 S.Res. 2]*

SENATE RULE 38. Third reading; question. (1) Upon the 3rd reading of the bill the question is: "This bill having been read 3 separate times, the question is, "Shall the bill pass' or "Shall the bill be concurred in'," as the case may be, or other appropriate language may be used. A proposal on the calendar for 3rd reading is not subject to amendment but it may, on motion or by unanimous consent, be referred back to 2nd reading for the consideration of proposed amendments. The motion requires a majority vote and is debatable.

(2) The position of a proposal on the calendar for 3rd reading is subject to removal from that position if the removal is necessitated by a motion for reconsideration that is pending or decided under rule 67, but if the motion is negatively decided before the proposal is reached for consideration under that order, the position of the proposal under the order remains unchanged.

(3) A 3rd reading shall be by relating clause.

*[am. 2001 S.Res. 2]
[(1) am. 2003 S.Res. 3]
[(3) cr. 2005 S.Res. 2]*

SENATE RULE 39. Minimum special quorum. On the question on proposals ready for a 3rd reading in cases where a minimum special quorum is required by constitution, statutes, rules, or otherwise, and when there are permanent vacancies in the senate, the membership

presently serving is the basis for determining such minimum special quorum.

[am. 2001 S.Res. 2]

SENATE RULE 40. Proposal amended on 3rd reading to be reengrossed. If a senate proposal ordered engrossed and read a 3rd time is amended or otherwise changed it shall be considered reengrossed before the 3rd reading. Any senate proposal that passed the senate with amendments shall be engrossed under the supervision of the chief clerk before being messaged to the assembly. However, if the amendment is an unamended substitute amendment, the original substitute amendment is the bill.

[am. 2001 S.Res. 2]

[am. 2003 S.Res. 3]

[am. 2005 S.Res. 2]

SENATE RULE 41. Rereference in order; withdrawing from committee. (1) (a) A proposal or other matter may be rereferred at any time prior to its passage, except that a motion to withdraw from committee may not take effect during the 7 days preceding any scheduled committee meeting or the 7 days following the date on which a committee meeting is held.

(b) A motion to withdraw and rerefer or to withdraw is in order, except that if the senate has once refused to withdraw and rerefer or to withdraw a proposal or other matter from committee, any subsequent motion to withdraw and rerefer or to withdraw requires a suspension of the rules.

(c) A 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 under rule 18 (1). A motion to withdraw a matter from any other committee, if approved, places the matter in the committee on senate organization unless the senate rerefers the matter to a different committee.

(d) Whenever a bill is introduced in the senate or assembly under section 227.19 (5) (e) or 227.26 (2) (f) of the statutes, the bill is considered reported without recommendation and shall be placed before the committee on senate organization if a report is not received from the standing committee within 30 days after the date of referral. This paragraph does not apply if the bill is introduced within 30 days after the time at which further proposals may not be introduced or offered in the biennial session under joint rule 83 (2).

(e) If the committee on senate organization receives a standing committee's report on a proposal that by statute requires review by the

joint committee on finance before being passed, the committee on senate organization may rerefer that proposal to the joint committee on finance. The chief clerk shall promptly record the rereferral in the journal. The committee on senate organization may, with the consent of the senate cochairperson of the joint committee on finance, withdraw a proposal from the joint committee on finance and make the proposal available for scheduling. Withdrawal under this rule satisfies section 13.093 (1) of the statutes.

(2) Reference to committee is not in order after a proposal is passed or indefinitely postponed or finally disposed of by any action equivalent thereto. Questions of reconsideration, concurrence in amendments of the assembly, conference committee reports, or executive vetoes may be placed on the table, but may not be referred to committee.

(3) The legislative council is not a legislative committee within the meaning of this rule and reference of proposals thereto for recommendation as in the case of standing or special committees is not in order.

*[(1)(d) cr. 1981 S.Res. 2]
[(1)(c) and (d) am. 1987 S.Res. 2, 1993 S.Res. 3]
[(1)(e) cr. 1997 S.Res. 2]
[(1)(a), (b) and (d), (2) and (3) am. 2001 S.Res. 2]
[(1)(a) to (d) and (2) am. 2003 S.Res. 3]
[(1)(b) and (e) am. 2005 S.Res. 2]
[(1)(a) and (c) am. 2007 S.Res. 2]
[(1)(e) am. 2009 S.Res. 2]]*

SENATE RULE 42. Messaging to the assembly; proposals held during reconsideration period. (1) Every bill or joint resolution upon which such action has been taken that it is next to be messaged to the assembly shall be so messaged by the chief clerk, but shall be held in the chief clerk's office until the time for reconsideration of the bill or joint resolution has expired. If the rules have been suspended for immediate messaging, the chief clerk shall enter the action in the history file for the bill or joint resolution. Every privileged joint resolution is messaged immediately without a suspension of the rules unless it is otherwise ordered by the senate.

(2) A bill or joint resolution that has been ordered immediately messaged to the assembly by the suspension of this rule is subject to further action by the senate while the bill or joint resolution is in physical possession of the senate. The further action is contingent upon a motion

to rescind the action of ordering its immediate messaging being decided by a two-thirds vote.

*[(1) am. 1995 S.Res. 2]
[am. 2001 S.Res. 2]
[am. 2003 S.Res. 3]*

SENATE RULE 43. Enrolling bills and joint resolutions. Promptly after a senate bill has passed both houses, and before it is presented to the governor for approval, the chief clerk shall deliver the jacket to the legislative reference bureau, which shall enroll the bill, prepare the requisite number of copies, and return the jacket and copies to the chief clerk, who shall record it correctly enrolled in the journal stating the day it was presented to the governor. As far as applicable, the same procedure shall be followed in the case of senate joint resolutions requiring enrolling.

[am. 2001 S.Res. 2]

SENATE RULE 44. Signing of documents. The original of all enrolled acts and joint resolutions, all engrossed resolutions, and all writs, warrants, and subpoenas issued by order of the senate shall be signed by the president, and attested by the chief clerk.

*[am. 1995 S.Res. 2]
[am. 2001 S.Res. 2]*

SENATE RULE 44m. Presentation to the governor. The chief clerk shall present all correctly enrolled bills to the governor as provided in the session schedule unless any of the following occur:

(1) Upon motion of the senate, the chief clerk shall present a correctly enrolled bill to the governor as provided in the motion.

(2) Upon directive of the majority leader, unless otherwise provided by the session schedule or motion of the senate, the chief clerk shall present a correctly enrolled bill to the governor as provided in the directive.

(3) Upon the call of the governor, unless otherwise provided by the session schedule, motion of the senate, or directive of the president, the chief clerk shall immediately present a correctly enrolled bill to the governor.

[cr. 2009 S.Res. 2]

SENATE RULE 45. Offering of privileged resolution. A resolution privileged by rule 69 shall, when sent to the clerk's desk, be read at length by the chief clerk, but may be read by its relating clause if copies of the

text have been distributed to the members. When so read, the privileged resolution is before the senate.

[am. 1995 S.Res. 2]
[am. 2001 S.Res. 2]
[am. 2003 S.Res. 3]

SENATE RULE 46. **Presentation, introduction, and offering of proposals and other matters.** (1) 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.

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

(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 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.

(b) Within 3 working days after the time of initial referral by the president under par. (am), a proposed rule may, with consent of the chairperson of the standing committee, be withdrawn from the standing committee to which it is referred and rereferred to another standing committee. Such action does not extend the standing committee review period. Rereferral may be made at any time.

(c) After the time of initial referral by the president under rule 36 (2), 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, except that such a withdrawal may not take effect during the 7 days preceding any scheduled committee hearing or the 7 days following the date on which a committee hearing is held. Rereferral under this rule may be made at any time, but may not be used to satisfy section 13.093 (1) of the statutes.

(3) The chief clerk shall promptly record in the journal the date on which each proposal, substitute amendment, and amendment is introduced or offered. 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.

(4) Unless otherwise ordered, petitions shall be read by title only and referred to the appropriate committee.

(5) A proposed amendment that is offered must have a heading stating the number of the proposal that it is proposed to amend and the name of the member proposing the amendment. The chief clerk shall read the number of the amendment. The amendment shall be reproduced. The jacket copy of the amendment shall be placed in the jacket and copies shall be distributed as provided by the rules.

(6) Unless reconsidered under rule 67, a proposal, or an amendment as it affects a proposal, is adversely and finally disposed of for the biennial session of the legislature by any of the following results:

(a) Indefinite postponement (senate bills).

(b) Rejection (senate amendments, senate resolutions, and senate joint resolutions).

(c) Nonconcurrency (assembly bills and assembly joint resolutions).

(d) Failure to be ordered to a 3rd reading (senate bills and assembly bills).

(e) Failure of passage (senate bills).

(f) Failure of concurrence (assembly bills and assembly joint resolutions).

(g) Failure to pass notwithstanding the objections of the governor.

- [(2)(b) cr. 1981 S.Res. 2]*
- [(2)(c) cr. 1989 S.Res. 3]*
- [(1) and (5) am. 1995 S.Res. 2]*
- [(title), (1), (2) and (5) am. 2001 S.Res. 2]*
- [(1), (2)(a) and (b) and (5) am. 2003 S.Res. 3]*
- [(1)(b) and (2)(d) cr. 2003 S.Res. 3]*
- [(1)(a) and (b), (2)(b), (c) and (d) am. 2005 S.Res. 2]*
- [(2)(am), (6) cr. 2005 S.Res. 2]*
- [(2)(c) am. 2007 S.Res. 2]*
- [(title) and (2) (a) and (am) am. 2011 S.Res. 2]*
- [(1) (a) rn. 2011 S.Res. 2]*
- [(1) (b) rp. 2011 S.Res. 2]*
- [(3) cr. 2011 S.Res. 2]*

Chapter 5:

AMENDMENTS – FORM AND PROCEDURE

SENATE RULE 47. **When amendments may be considered.** (1) Consideration of simple amendments or of substitute amendments is in order only upon the second reading of the proposal and if in compliance with rule 34.

(4) During consideration of amendments when both simple amendments and substitute amendments to a proposal are pending, the question, in ascending numerical order, is first upon amendments to the substitute amendment of the lowest number, and then upon that substitute amendment, unless the senate by majority vote of members present otherwise orders.

(5) Amendments are not in order upon consideration of an executive veto.

- [(1) and (5) am. 2001 S.Res. 2]*
- [(4) am. 2003 S.Res. 3]*
- [(4)am. 2009 S.Res. 2]*

SENATE RULE 48. **Reading of amendments.** The chief clerk shall read the full text of each amendment to the members, and the presiding officer shall state the number of each amendment, but amendments that have been distributed to the members may not be read at length.

- [am. 1995 S.Res. 2]*
- [am. 2001 S.Res. 2]*
- [am. 2003 S.Res. 3]*

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 the legislative reference bureau shall attach jacket cover sheets (stripes) to the amendments; 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.

[am. 2001 S.Res. 2]

[am. 2003 S.Res. 3]

[am. 2011 S. Res. 2]

SENATE RULE 50. Substitute amendments and amendments must be germane. (1) Every substitute amendment and amendment to a proposal must be germane to that proposal.

(1m) A standing committee may not report any substitute amendment or amendment to a proposal originating in either house, and the senate may not consider any substitute amendment or amendment to a proposal, that is not germane to that proposal.

(2) A substitute amendment or amendment to a proposal may not be considered if the presiding officer rules that the substitute amendment or amendment is not germane to that proposal.

(3) The presiding officer may rule only on the germaneness of a senate substitute amendment or amendment and only when the substitute amendment or amendment is before the senate.

(4) An amendment to an amendment to a proposal must be germane to the amendment as well as to that proposal.

(6) The following substitute amendments or amendments are not germane:

(a) A substitute amendment or amendment that is identical in effect to one previously offered to the same proposal and disposed of.

(b) A substitute amendment or amendment to a proposal that is any of the following:

1. Irrelevant to the subject matter of the proposal.
2. Inappropriate to the subject matter of the proposal.
3. Not in a natural and logical sequence to the subject matter of the proposal.
4. Substantially expands the scope of the proposal.

(c) A substitute amendment or amendment that negates the original proposal entirely, or that substitutes another proposal pending before the senate.

(8) The following substitute amendments and amendments are germane:

(a) A substitute amendment or amendment proposing a method of raising revenues for an appropriation bill or proposing an appropriation for a revenue bill.

(b) A substitute amendment or amendment adding an appropriation necessary to fulfill the original intent of a proposal.

*[(1) am. 1995 S.Res. 2]
[(1) am. 1997 S.Res. 2]
[(1) to (3), (8) and (10) am. 2001 S.Res. 2]
[am. 2003 S.Res. 3]
[(6)(a) and (b) am. 2005 S.Res. 2]
[(6)(b) 1. to 4. and (c) cr. 2005 S.Res. 2]*

SENATE RULE 51. Amendment in the 3rd degree prohibited. Amendments beyond the degree of an amendment to an amendment to the main proposition are prohibited. For the purposes of this rule a substitute amendment, and an assembly amendment to a senate proposal or amendment, are considered a main proposition.

[am. 2001 S.Res. 2]

SENATE RULE 53. Committee amendments; speaking on amendment. Amendments reported by committees shall be acted upon by the senate in the same manner as though offered from the floor. On an amendment being offered, a member who has spoken on the main question may speak again on the amendment.

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.

*[am. 2001 S.Res. 2]
[am. 2011 S.Res. 2]*

**Chapter 6:
GENERAL PROCEDURE – ORDER IN DEBATE**

SENATE RULE 56. Recognition; debate. Members who are about to speak in debate or deliver any matter to the senate shall rise in their places and respectfully address the presiding officer, and, upon being

recognized, shall proceed, confining themselves to the question under debate and avoiding personalities. Members may not question the motives of another member. Members may read briefly from printed material unless there is objection.

[am. 2001 S.Res. 2]

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

(2) Whenever a point of order is raised, the presiding officer may rule thereon forthwith, or may defer the decision not later than the 5th order of business on the 2nd legislative day thereafter to provide time for examination of the precedents. Questions not ruled on within the required time shall be decided by a majority of the senate.

(2m) When 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.

(3) Whenever the presiding officer takes a point of order under advisement in order to consult sources of parliamentary law and procedure, the presiding officer shall submit the decision in writing, stating the source consulted and the reasons for the decision. The text of the presiding officer's decision shall be recorded in the journal.

(4) On appeal being taken, the question is "Shall the decision of the presiding officer stand as the judgment of the senate?", which question, and the action thereon, shall be entered on the journal. The vote is taken by roll call vote. A tie vote sustains the ruling of the presiding officer.

(5) All points of order raised and the decisions thereon shall be entered in the journal.

[(4) am. 1995 S.Res. 2]

[am. 2001 S.Res. 2]

[(2), (3) and (4) am. 2003 S.Res. 3]

[(4) am. 2005 S.Res. 2]

[(2) to (5) rn. from S.Rule 7 (2) to (5); (title), (1) and (2m) cr. 2013 S.Res.3]

SENATE RULE 57. Presiding officer to name first speaker. When any 2 or more members rise at the same time, the presiding officer shall name the person who is to speak first.

[am. 2001 S.Res. 2]

SENATE RULE 58. Member out of order. A member called to order shall sit down, and may not speak, except in explanation, until it is

determined whether or not the member was in order. When a member is called to order for words spoken, the exceptional words shall be taken down in writing to better enable the presiding officer to judge whether they are in violation of the rules.

[am. 2001 S.Res. 2]

SENATE RULE 59. How members may speak. Members may not speak except from their assigned places, and not more than twice on a question, except on leave of the senate.

If a question pending is lost by adjournment and revived on the succeeding roll call day, a member who spoke twice on the preceding roll call day may not again speak without leave of the senate.

[am. 2001 S.Res. 2]

[am. 2003 S.Res. 3]

SENATE RULE 60. Personal privilege. Members may rise to explain matters personal to themselves by leave of the presiding officer, but may not discuss pending questions in the explanations. Questions of personal privilege are limited to questions affecting the rights, reputation, and conduct of the members in their representative capacities. A member's right to speak on a point of personal privilege has precedence over all other questions except a motion to adjourn or a motion to raise a call.

[am. 2001 S.Res. 2]

SENATE RULE 61. Special privilege. Any member desiring to make a personal explanation on a matter other than one of personal privilege may rise and, by leave of the presiding officer, and within such limitation of time as the presiding officer or senate may determine, discuss any subject relative to state or local government, public welfare, conduct of public officials in relation to their official duties, and matters pertaining to the rights of the senate collectively, and its safety and dignity, and the integrity of its proceedings. A member may not be granted the right to speak on a point of special privilege while any matter is pending or under discussion before the senate.

[am. 2001 S.Res. 2]

SENATE RULE 62. Stating motions. When a motion is made, the presiding officer shall state it or the chief clerk shall read it prior to debate. If a member requires it, all motions, except to adjourn, postpone, or refer, shall be reduced to writing. Except as provided in rule 67, any motion may be withdrawn by consent of the majority of those present.

[am. 2001 S.Res. 2]

[am. 2003 S.Res. 3]

SENATE RULE 63. **Motions in order during debate.** (1) When a question is under debate, a motion may not be received except:

(a) To adjourn (not debatable or amendable, member must have floor to make motion, *see* rules 64 and 68).

(b) To adjourn to a fixed time (not debatable; amendable only as to time, *see* rules 64 and 68).

(c) To raise a call (not debatable or amendable, carried by majority vote of the members present, *see* rules 68 and 85 (5)).

(d) Personal privilege (not debatable, subject to time limit imposed by the presiding officer, *see* rule 60).

(e) To recess (debatable only as to length of recess, *see* rules 64 and 68).

(f) To lay on table (not debatable, returns matter to committee on senate organization, *see* rules 18, 65 and 68).

(g) For the previous question (not debatable but amendable to establish time limit for debate, *see* rules 68 and 77).

(h) For the current question (not debatable but amendable to establish time limit for debate, *see* rules 68 and 77).

(i) To postpone to a day certain (debatable, may not be renewed on same day unless matter has advanced to subsequent stage or has been changed by amendment, *see* rule 66).

(j) To refer to a standing committee (debatable, in order at any time before passage, *see* rule 41).

(k) To refer to a special committee (debatable, in order at any time before passage, *see* rule 41).

(m) To postpone indefinitely, to reject or to nonconcur, as applicable (debatable, takes precedence over corresponding motion to approve, *see* rule 55).

(n) To amend (debatable, must be germane, *see* rules 50 and 53).

(2) These several motions have precedence in the order in which they are set forth in this rule.

[(1)(m) and (n) rn. 1981 S.Res. 2]
[(1)(f) am. 1987 S.Res. 2, 1993 S.Res. 3]
[(1)(intro.), (d), (j) and (k) and (2) am. 2001 S.Res. 2]

SENATE RULE 64. **Motion to adjourn always in order.** A motion to adjourn is always in order except when the senate is voting. However, a member may not move an adjournment when another member has the floor and 2 consecutive motions to adjourn are not in order unless other business intervenes. A motion to adjourn to a time certain or to recess has

the same privilege as a motion to adjourn, but such motions have the order of precedence prescribed in rule 63.

[am. 2001 S.Res. 2]

SENATE RULE 65. Laying on table. (1) A motion to lay on the table has only the effect of disposing of the matter temporarily and it may be taken from the table at any time by order of the majority of those present.

(2) A motion to lay a proposal on the table, if approved, has the effect of returning the matter to the committee on senate organization.

(3) A motion to remove a proposal from the table, if approved, has the effect of withdrawing the matter from the committee on senate organization and placing it on the calendar.

*[(2) and (3) am. 1987 S.Res. 2, 1993 S.Res. 3]
[am. 2001 S.Res. 2]
[(1) am. 2003 S.Res. 3]*

SENATE RULE 66. Motion to postpone. A motion to postpone to a day certain, to refer, or to postpone indefinitely, having failed, may not be again allowed on the same day unless the matter has been altered by amendment or advanced to a subsequent stage. A 2nd motion to reject an amendment is subject to this rule and may not be twice allowed on the same day unless the amendment was altered by amendment.

*[am. 2001 S.Res. 2]
[am. 2005 S.Res. 2]*

SENATE RULE 67. Motion to reconsider. (1) A motion to reconsider a question may be made by a member having the floor who voted with the majority, or whose position recorded under rule 75 agreed with the majority. In the case of a voice vote or tie vote, the motion for reconsideration may be offered by a member not recorded absent on the question that is moved to be reconsidered. The motion for reconsideration is subject to all rules governing debate that apply to the question moved to reconsider.

(2) On questions requiring by the constitution, statutes, rules, or otherwise, a specified number of affirmative votes, the prevailing side is the majority, but such minimum affirmative requirement does not apply to the question of reconsideration.

(3) The motion for reconsideration shall be made on the same or the next succeeding roll call day and it shall be received under any order of business.

(4) A motion to reconsider shall be put immediately after pending business of higher precedence is disposed of unless it is laid over to a

future time by a majority vote. A motion for reconsideration may be laid on the table without debate.

(5) After the time for receiving the motion has expired, a pending motion for reconsideration may not be challenged on the ground that the member making the motion did not vote with the majority.

(6) A motion for reconsideration, when made on the same day as the action that is moved to be reconsidered, and not acted upon due to adjournment, other than adjournment under call on the question, expires with adjournment, but if made on the following day is not lost by adjournment. A motion to reconsider amendments to a proposal is in order notwithstanding the proposal's advancement to a 3rd reading and a motion to reconsider the advancement is in order notwithstanding the suspension of the rules to take final action if the motions for reconsideration are otherwise timely and in order. Reconsideration of amendments under this rule has the same priority as to order of action as to amend under rule 63.

(7) Whenever a proposal is returned from the assembly, the governor, or elsewhere for further action pursuant to the senate's request for the return, motions for reconsideration necessarily incident to opening the proposal for further action shall be admitted regardless of the time limitation otherwise imposed by this rule. Action on executive vetoes or appointments or any motion to suspend the rules is not subject to a motion for reconsideration.

(8) A motion for reconsideration, once entered, may only be withdrawn by the member making the motion, and only within the time when the motion by another member would still be timely; later only by consent of or action by the senate.

(9) The motion for reconsideration having been put and lost may not be renewed but, if carried, subsequent motions for reconsideration of the same action are in order.

*[(1) am. 1979 S.Res. 3]
[(1), (2) and (5) to (9) am. 2001 S.Res. 2]
[(3), (6), (7) and (8) am. 2003 S.Res. 3]*

SENATE RULE 68. Questions to be decided without debate and not placed on table. A motion to adjourn, to adjourn to a fixed time, to take a recess, to lay on the table, to take from the table, to place a call, to raise a call, to grant a leave, to suspend the rules, or to reconsider a nondebatable question or a call for the current or previous question, are decided without debate and may not be placed on the table. All incidental questions of order arising after a motion is made for any of the questions named in this

rule, and pending the motion, is decided, whether on appeal or otherwise, without debate.

[am. 2001 S.Res. 2]
[am. 2003 S.Res. 3]
[am. 2009 S.Res. 2]

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

[am. 2001 S.Res. 2]
[am. 2003 S.Res. 3]
[am. 2009 S.Res. 2]
[am. 2013 S.Res. 3]

SENATE RULE 70. Division of question. (1) A member may call for the division of a question, which shall be divided if it consists of propositions in substance so distinct that, one being taken away, a substantive proposition remains for the decision of the senate. A motion to delete and substitute is indivisible, but a motion to delete being lost does not preclude an amendment or a motion to delete and substitute. Division of action directly upon the substance of a proposal, as to pass, advance to a 3rd reading, indefinitely postpone, or any equivalent, which division may be accomplished by an amendment, are not permitted under this rule.

(2) A bill vetoed in its entirety by the governor may not be divided. When a bill has been vetoed in part and the senate considers a specific item for passage notwithstanding the objections of the governor, any member may request that the item be divided. The item may be divided on request by a member if:

(a) The request proposes to so divide the item that each separate proposition, if passed notwithstanding the objections of the governor, will result in a complete and workable law regardless of the action taken on any other part of the original item.

(b) It is the opinion of the presiding officer that the item involves distinct and independent propositions capable of division and that the division will not be unduly complex.

(3) When a bill has been vetoed in part the committee on senate organization may, by a resolution offered under rule 17 (2), propose to schedule a specific part as a special order. When appropriate, the resolution may divide the part into one or more independent propositions

and dependent propositions. The proposed division must include at least one separate proposition that, if passed notwithstanding the objections of the governor, will result in a complete and workable law regardless of the action taken on any other part of the original part. The presiding officer shall first put the question on the independent proposition. The question on any proposition dependent thereon may be put only if the independent proposition has been passed notwithstanding the objections of the governor.

*[am. 2001 S.Res. 2]
[(2) and (3) cr. 2005 S.Res. 2]*

SENATE RULE 71. Putting question. All questions may be put in this form: “Those who are of the opinion that the bill pass, be concurred in, etc., (as the case may be) say, ‘Aye’. Those of contrary opinion say, ‘No’;” or other appropriate words may be used.

SENATE RULE 72. Ayes and noes. (1) The ayes and noes may be ordered by the presiding officer for any vote and shall be ordered when demanded by one-sixth of the members present. The chief clerk shall record the votes taken by ayes and noes, report the result, and enter the report in the journal together with the names of those absent or not voting.

(2) Members shall remain in their seats and may not be disturbed by any other person while the ayes and noes are being called.

(3) A request for a roll call is not in order after the result of the vote has been announced.

[(1) am. 2001 S.Res. 2]

SENATE RULE 73. Every member to vote. (1) All members present when a question is put shall vote as their names are called. For a special cause the senate may excuse a member from voting, but it is not in order for a member to be excused after the senate has commenced voting.

(2) When the vote is by ayes and noes, a member entering the chamber after the question is put and before it is decided may have the question stated and vote, with the vote being counted in the outcome.

[(2) am. 2001 S.Res. 2]

SENATE RULE 73m. Missed roll calls. (1) A member who does not vote during a roll call on a proposal may request unanimous consent to have his or her vote included in that roll after the roll is closed, if all of the following apply:

(a) The request does not interrupt another roll call.

(b) The request is made no later than immediately following the close of the next occurring roll call.

(c) The member's vote, if included, will not change the result of the roll call.

(2) If sub. (1) precludes a member from making a request or if the request is objected to, the member may request unanimous consent to have the journal reflect how the member would have voted had he or she been in his or her seat when the roll call was taken. A member may not interrupt a roll call to make a request under this subsection.

[cr. 2005 S.Res. 2]

SENATE RULE 74. Explanation of vote not allowed. Explanation by a member of his or her vote, at the time of the calling of the member's name, is not allowed.

SENATE RULE 75. Recording position of absent member. Any member absent from all or part of a day's session by leave of the senate under rule 16 or 23 or pursuant to rule 13 may, within one week after returning, instruct the chief clerk in writing to have the journal show that had the member been present when a certain vote was taken the member would on that issue have voted aye or have voted no. If the member returns before the vote is taken, the statement of position is void and the member shall cast his or her vote as required under rule 73.

[am. 2001 S.Res. 2]

[am. 2003 S.Res. 21]

[am. 2009 S.Res. 2]

Chapter 7: LIMITING DEBATE

SENATE RULE 76. Scheduling time limits for debate. (1) Time limits and schedules for debate may be designated in the manner described in sub. (2). The time limits may be rejected or modified by majority vote of the members present, but this question is not debatable. The schedules and time limits shall be announced by the presiding officer immediately upon being presented. Promptly at the expiration of the time allotted, the presiding officer shall put the question.

(2) Time limits and schedules for debate may be designated under sub. (1) by any of the following means:

(a) By the committee on senate organization.

(b) Jointly by the majority leader and the minority leader, if the committee on senate organization does not object.

(c) By the presiding officer, if the majority leader and the minority leader do not object.

[am. 1987 S.Res. 2, 1989 S.Res. 3, 1993 S.Res. 3]
[am. 2001 S.Res. 2]
[(1) am. 2003 S.Res. 3]
[(2) cr. 2003 S.Res. 3]
[(1) am. 2009 S.Res. 2]

SENATE RULE 77. Voting immediately; time limit on debate. (1) When any matter is under consideration any member may move that the senate vote immediately on the current question. The motion is not debatable and if carried by a majority the subsidiary question then pending before the senate shall be put to a vote without debate. If a motion is made under this subsection the question is: “Shall the senate vote immediately on the current question?” If the motion carries, the effect is to end the debate on the current question then before the senate and bring the senate to a vote on the current question. A motion to table is not in order after a motion under this subsection has been made. A motion that carries under this subsection does not prevent the offering of amendments or substitute amendments to the main question after the vote is taken on the current question.

(2) A motion to establish the amount of time to be given a particular matter may be made in the same manner as provided in sub. (1), except that this motion is subject to amendment, which also is decided without debate.

(3) When a matter is under consideration a member may move that the senate vote immediately on the main question. The motion is not debatable and if carried by a majority the main question then pending before the senate shall be put to a vote without debate. If a motion is made under this subsection the question is: “Shall the senate vote immediately on the main question?” If the motion carries, the effect is to end the debate on the question then before the senate and bring the senate to a vote on the main question. Amendments or substitute amendments may be offered, but not debated, and shall be considered immediately. A motion to table the proposal to which the main question relates is not in order after a motion under this subsection has been made.

[am. 2001 S.Res. 2]
[(title), (1) and (3) am. 2005 S.Res. 2]

SENATE RULE 79. But one motion to reconsider in order; main question may remain before the senate. After a motion under rule 77 (1) or (3) has carried, only one motion to reconsider is in order. If the motion to reconsider carries, the main question shall remain as the

question before the senate, in the same stage of proceedings as before the motion under rule 77 (1) or (3) was made.

[am. 2001 S.Res. 2]
[am. 2005 S.Res. 2]

SENATE RULE 80. But one call of the senate in order. After a motion to vote immediately on the main question has carried but before the vote is taken, one call of the senate is in order; but after proceedings under the call have been once dispensed with, or after a majority lifts the call, a call is not in order before the vote on the main question.

[am. 2001 S.Res. 2]
[am. 2005 S.Res. 2]

Chapter 8: CALL OF THE SENATE

SENATE RULE 81. Call of the senate. (1) Five senators may make a call of the senate and thereby require absent members to be sent for, but a call of the senate cannot be made after the voting has commenced.

(2) A call of the senate may be ordered on any motion or question before the senate, including a motion to adjourn, but a call of the senate on a motion to adjourn is not in order once the senate is under call on any other question.

[(2) am. 2001 S.Res. 2]

SENATE RULE 82. Putting question. (1) On a call of the senate being moved, the presiding officer shall say: "It requiring 5 senators to make a call of the senate, those in favor of the call shall rise." And, if a sufficient number rise, the call shall be thereby ordered without debate.

(2) When a motion for a call of the senate fails of the support of the necessary 5 members, and announcement of that fact is made, a 2nd motion for a call on the same question is not in order unless other business intervenes.

[am. 2001 S.Res. 2]

SENATE RULE 83. Doors to be closed. A call of the senate being ordered, the sergeant at arms shall close the doors, and members may not leave the chamber, but the public may come and go under such regulations as the sergeant at arms finds necessary.

[am. 2001 S.Res. 2]

SENATE RULE 84. Sergeant to bring in absentees. The chief clerk shall immediately call the roll of the members, and note the absentees,

whose names shall be read, and entered upon the journal in such manner as to show who are absent with leave and who are absent without leave. The chief clerk shall furnish the sergeant at arms with a list of those who are absent without leave, and the sergeant at arms shall forthwith proceed to find and bring in such absentees. In exercising his or her responsibilities under this rule, the sergeant at arms may request the assistance of any law enforcement officer in this state.

[am. 2011 S.Res. 3]

SENATE RULE 85. Transacting business while under call. (1) **GENERAL RULE.** While the senate is under call, business may not be transacted with reference to the matter on which the call is made except to receive and act upon the report of the sergeant at arms, to act on a motion to raise one or more calls, to adjourn, or to adjourn to a time certain. A roll call on a call of the senate must be completed before the senate may take up a special order fixed for that time. A joint resolution to dispose of all matters before the senate and to recess includes matters under call.

(2) **CONCURRENT CALLS.** While the senate is under call, a concurrent call may be ordered on any other business before the senate except on a motion for a leave of absence for a member or a motion to dispense with further proceedings under a call.

(3) **OTHER BUSINESS.** Other business may be conducted by those present as if there were no call.

(4) **SUCCESSIVE CALLS ON SAME QUESTION; INTERVENING BUSINESS.** Successive calls on the same question are in order if any other action on pending business has intervened between calls of the senate.

(5) **RAISING CALL.** A motion to raise one or more calls takes precedence over every other motion, except a motion to adjourn. The affirmative vote of a majority of those present is required for adoption. Upon adoption of a motion to raise one or more calls, business shall be taken up at the point at which it was interrupted by the call, except that motions to recess or adjourn take precedence over the question on which the call was raised, and subsequent calls on motions unrelated to progress of a proposal are in order. The motion to raise a call is not amendable.

(6) **EFFECT OF ADJOURNMENT UPON CALL OF SENATE.** A majority of those present may adjourn, but upon reconvening, the senate is not under call, but the call of the senate may again be ordered in the same manner as provided in this rule.

(7) **GRANTING LEAVE UNDER CALL.** Absent members may be granted leave during a call of the senate by majority vote of members present. Leave cannot be canceled after a call of the senate has been ordered. Prior

leave expires when the senator returns although it is before the time limit set.

*[(1), (5) to (7) am. 2001 S.Res. 2]
[(5) am. 2003 S.Res. 3]
[(7) am. 2009 S.Res. 2]]*

SENATE RULE 86. Sergeant at arms may report. The sergeant at arms may make a report of the proceedings under the call at any time. The motion to accept the report is determined by ayes and noes. The call may not be raised unless a majority of those present vote in favor of the motion. If the report is not accepted, the sergeant at arms shall proceed to a completion of the duties under rule 84.

*[am. 2001 S.Res. 2]
[am. 2003 S.Res. 3]*

SENATE RULE 87. Call raised when absentees present and business disposed of. When the sergeant at arms reports that all who were absent without leave are present and names them, the report shall be entered on the journal. The call ends as soon as the business, pending when the call was made, is disposed of.

[am. 2001 S.Res. 2]

Chapter 9: EMPLOYEES

SENATE RULE 88. Employment and supervision of senate employees. (1) The committee on senate organization has general supervision and direction over all employees of the senate and may supervise or assign supervision over employees as it considers proper to the chief clerk, to the sergeant at arms, or to members.

(2) On recommendation of the respective appointing officers, the committee on senate organization shall allocate the number of employees of the senate within the limits established by the staffing pattern then in force and the duties and responsibilities assigned to each employee. The chief clerk shall assign each position to the proper pay range.

(3) Employees may not be allowed compensation except for such time as they are in attendance, except when absent with leave granted by their superior officers. Employees are not exempt from this provision on any day of the week. All employees shall perform such duties in connection with the work of the senate as are assigned to them by their superior

officers, and shall be available at such hours as their superior officers direct.

[am. 2001 S.Res. 2]
[(1) and (3) am. 2003 S.Res. 3]
[(2) am. 2005 S.Res. 2]

SENATE RULE 89. **Certification of payroll.** The chief clerk shall certify to the department of administration the names of all persons employed in the senate and the amounts respectively due them.

[am. 1995 S.Res. 2]
[am. 2001 S.Res. 2]
[am. 2005 S.Res. 2]

Chapter 10: RULES

SENATE RULE 90. **Creating, amending, or repealing rules.** Senate rules may be created, amended, or repealed by resolution adopted by a vote of a majority of the senate membership presently serving. The vote is taken by ayes and noes. The resolution shall set forth the precise detail of the proposed creation, amendment, or repeal. 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.

[am. 2001 S.Res. 2]
[am. 2003 S.Res. 3]

SENATE RULE 91. **Suspending rules.** Senate rules may be suspended by the senate by vote of two-thirds of the members present. The vote is determined by ayes and noes unless unanimous consent is given.

[am. 2001 S.Res. 2]

SENATE RULE 92. **Continuity of senate rules.** Senate rules are effective until amended or repealed by the senate. Senate rules remain in force at the beginning of a succeeding biennial session until superseded by rules adopted by the senate in the succeeding biennial session of the legislature.

[am. 2001 S.Res. 2]
[am. 2003 S.Res. 3]

SENATE RULE 93. **Special or extraordinary sessions.** Unless otherwise provided by the senate for a specific special or extraordinary session, the rules of the senate adopted for the biennial session, with the following modifications, apply to each special session called by the governor and to each extraordinary session called by the senate and

assembly organization committees or called by a joint resolution approved by both houses:

(1) Except as provided in sub. (1d), a proposal or amendment may not be considered unless it accomplishes the special purposes for which the special session was convened or the business specified in the action authorizing the extraordinary session. Notwithstanding rule 46 (6), any proposal that is adversely and finally disposed of for the biennial session may be revived by specific inclusion in the action authorizing an extraordinary session, provided that the proposal had not failed a vote of concurrence or passage in the senate. Any proposal revived under this subsection is considered to be at the same stage of the proceedings as it had attained upon being adversely and finally disposed of.

(1d) Resolutions offering commendations, congratulations, or condolences, memorializing congress or an individual, or affecting senate or legislative rules or proceedings are declared not to be within the meaning of the term “business” under the constitutional provision limiting the matters to be considered during special sessions to those enumerated in the governor’s call for a special session. All such matters may be considered during any extraordinary session.

(1p) A senate proposal may not be considered unless it is recommended to be introduced, offered, or considered by the committee on senate organization, the senate committee on finance, the joint committee on finance, the joint committee on legislative organization, or by the joint committee on employment relations.

(2) A notice of a committee meeting is not required other than posting on the legislative bulletin board, and a bulletin of committee hearings may not be published.

(3) The daily calendar is in effect immediately upon posting on the legislative bulletin boards. The calendar need not be distributed.

(4) Any point of order shall be decided within one hour.

(5) A motion may not be entertained to postpone action to a day or time certain.

(6) Any motion to advance a proposal and any motion to message a proposal to the assembly may be adopted by a majority of those present and voting.

*[cr. 1983 S.Res. 4]
[(intro.) am. 1989 S.Res. 3]
[(1) and (3) am. 1995 S.Res. 2]
[(1) to (3) and (5) am. 2001 S.Res. 2]
[(intro.), (1), (1p) and (6) am. 2003 S.Res. 3]*

*[(1d) (from rule 33 (3)) am. 2003 S.Res. 3]
 [(intro.), (1), (1d), (1p) and (2) am. 2005 S.Res. 2]*

SENATE RULE 94. **Publishing of senate rules.** (3) (a) Within one week after the adoption of a resolution significantly changing the senate rules, the chief clerk shall direct the distribution of a new pamphlet incorporating the entire text of the senate rules as affected by the resolution unless, in the judgment of the chief clerk, additional rule changes may soon be agreed to by the senate. Each pamphlet edition shall contain a revised table of contents and index prepared by the legislative reference bureau.

(b) As directed by the chief clerk, a resolution amending the senate rules may be engrossed and duplicated for distribution.

*[rn. from S.Rule 93 by 1983 S.Res. 4]
 [am. 1987 S.Res. 3]
 [(3)(a) am. 1995 S.Res. 2]
 [(3) am. 2001 S.Res. 2]*

Chapter 11: MISCELLANEOUS

SENATE RULE 95. **Copies for senate.** All publications for the senate and reproduction to be done for the senate shall conform to the senate and joint rules or be as determined by the committee on senate organization or the joint committee on legislative organization.

*[rn. from S.Rule 94 by 1983 S.Res. 4]
 [am. 1995 S.Res. 2]
 [am. 2001 S.Res. 2]*

SENATE RULE 95m. **Governor's veto message.** The governor's veto message shall be read at length unless copies of the document have been distributed to the members.

[cr. 2009 S.Res. 2]

SENATE RULE 96. **Fiscal estimates.** (1) The committee on senate organization may request from the legislative fiscal bureau an original fiscal estimate on a bill if the committee believes that a fiscal estimate on the bill will not be completed by the state agency assigned to prepare the fiscal estimate before the bill receives a public hearing, is voted on by a senate standing committee, or is considered by the senate.

(1m) The chairperson of any committee may request from the legislative fiscal bureau an original fiscal estimate on a bill if the fiscal

estimate on the bill is not completed by the state agency assigned to prepare the fiscal estimate before the 5th day after the deadline specified under joint rule 42 (3).

(2) An original fiscal estimate prepared under sub. (1) shall be submitted to the legislative reference bureau for review by the requester under joint rule 48 and for reproduction and insertion in the bill jacket envelope. The fiscal estimate, however, may not be reproduced or inserted if the fiscal estimate prepared by the state agency is available for reproduction and insertion before the fiscal estimate prepared under sub. (1).

(3) Unless otherwise determined by the senate, failure to receive a fiscal estimate requested under sub. (1) on a bill that already has one or more original fiscal estimates does not delay consideration of the bill. Unless otherwise determined by the senate, failure to receive a fiscal estimate requested other than under sub. (1) on a bill that already has one or more original fiscal estimates requested under sub. (1) does not delay consideration of the bill.

[cr. 2001 S.Res. 2]
[(1m) cr. 2007 S.Res. 2]

SENATE RULE 97. Space assignments. At the commencement of each biennial session, the committee on senate organization shall assign to each member the seat to be occupied by that member during the biennial session. The schedule of room assignments to members and committees, and the schedule of meetings of standing committees, shall follow the schedule of the previous biennial session unless changed by vote of the committee on senate organization.

[rn. from S.Rule 96 by 1983 S.Res. 4]
[am. 2001 S.Res. 2]
[am. 2003 S.Res. 3]

SENATE RULE 98. Citations on behalf of the senate; joint citations.

(1) A member may sponsor a citation on behalf of the senate to a particular person, group, or organization or to commemorate a particular event or occasion as specified in the citation. Citations may be issued during any floorperiod, during any committee work period, or during the interim period of committee work. Citations are issued without formal approval by vote of the senate.

(1m) Citations may be used in place of resolutions for commendations, congratulations, and condolences of persons, groups, or organizations or to give recognition to unusual and important events or occasions, except that the use of citations may not be abused. The committee on senate organization may more specifically interpret this subsection.

(2) If desired by the issuing member, a citation on behalf of the senate may be coauthored by one or more other members or cosponsored by one or more representatives to the assembly.

(3) The president and chief clerk shall sign a citation on behalf of the senate. If so signed, it is considered approved by the senate and shall be so recorded in the journal. The issuing senator, and any cosponsor, may also sign the citation. If the president or chief clerk refuses to approve a citation, the committee on senate organization may require the president and chief clerk to approve it. A copy of the finished citation shall be provided to the issuing senator, and another copy thereof shall be filed in the legislative reference bureau.

(4) All citations on behalf of the senate must be prepared on an artistic form, must first be approved by the committee on senate organization, must be suitable for framing, and must be in substantially the following form:

(Scrollwork Incorporating State Coat of Arms)

CITATION BY THE SENATE

KNOW YOU BY THESE PRESENTS:

WHEREAS, The Burlington Standard Press has been recognized by the Wisconsin Newspaper Association; and

WHEREAS, William E. Branen, Publisher of the Burlington Standard Press, has been named by....; now,

THEREFORE, The Members of the Wisconsin Senate, on the motion of Senators Maurer and Cullen [and Representative(s)], under Senate Rule 98, congratulate William E. Branen for his accomplishments

STATE CAPITOL
Madison, Wisconsin

.....
(Date)

.....
(President)

.....
(Chief Clerk)

(5) A proposed citation under joint rule 7 shall, when received by the senate and whether originating in this house or in the assembly, be laid aside to allow time to examine the proposed citation for its compliance with joint rule 7. Upon approval by the president and the chief clerk, the citations are considered approved by the senate and shall be so recorded in the journal. If the president or chief clerk refuses to approve a proposed citation, the committee on senate organization may require the president and chief clerk to approve it. A written committee report is not necessary.

[rn. from S.Rule 97 by 1983 S.Res. 4]
[(4) am. 1995 S.Res. 2]
[am. 2001 S.Res. 2]
[(1), (1m), (3) and (4)(intro.) am. 2003 S.Res. 3]
[(3) am. 2005 S.Res. 2]
[(title) am. 2009 S.Res. 2]
[(5) rn. from S.Rule 34 (4) 2009 S.Res. 2]

SENATE RULE 99. **Definitions.** The following are definitions of the major terms used in the senate rules or traditionally used in deliberations on the floor:

(1) **ACT:** A bill that has passed both houses of the legislature, been enrolled, and been approved by the governor or passed over the governor's veto, or that becomes law without the signature of the governor, and published.

(2) **ADJOURN:** To conclude a legislative day's business [see also sub. (79)].

(3) **ADOPTION:** Approval of a motion, amendment, substitute amendment, simple resolution, or joint resolution [see also subs. (16) and (54)].

(4) **AMENDMENT:** A suggested alteration in a proposal or amendment, often referred to as a simple amendment in distinction to a substitute amendment, which is intended to take the place of the proposal.

(5) **APPEAL:** A member's challenge of a ruling on a point of order. To prevail, an appeal requires the support of a majority of a quorum.

(7) **BILL:** A proposed change of law originating in either house, requiring passage by one house and concurrence of the other house of the legislature and approval of the governor, or passage notwithstanding the objections of the governor by a two-thirds vote in each house, or that becomes law without the signature of the governor, before becoming effective.

(8) **CALENDAR:** The agenda for a legislative day.

(9) **CALL OF THE HOUSE:** A procedure for requiring the attendance of absent members.

(10) CERTIFICATE OR CITATION: A formal legislative document of commendation, congratulations, or condolences.

(11) CHAIR: The position that the presiding officer fills.

(12) CHIEF CLERK: The officer elected to perform and direct the clerical and personnel functions of one of the houses.

(13) COMMITTEE CHAIRPERSON: The head of a committee.

(14) COMMITTEE EXECUTIVE ACTION: The action of a committee on any proposal.

(14m) COMMITTEE OF CONFERENCE: A committee of representatives to the assembly and of senators, appointed to resolve differences on a specific proposal.

(15) COMMITTEE OF THE WHOLE: The membership of one house organized in committee for the discussion of a specific matter.

(16) CONCURRENCE: The action by which one house agrees to a proposal or action of the other house [see also subs. (3) and (54)].

(18) CONTESTED SEAT: A district in which 2 or more persons claim the right to represent the district.

(20) CURRENT MEMBERSHIP: The members of one of the houses, certified as elected in the last general election, omitting those who have subsequently resigned, have been removed, or have died.

(22) DILATORY: To delay.

(23) DIVISION OF THE QUESTION: To break a question into 2 or more separate propositions.

(24) ELECTED MEMBERSHIP: The members of one of the houses, certified as elected in the last general election, including those who have subsequently resigned, have been removed, or have died.

(25) ENGROSSED PROPOSAL: A proposal incorporating all adopted amendments and all approved technical corrections in the house of origin, whether or not it is reproduced as engrossed.

(26) ENROLLED PROPOSAL: A proposal that was passed, or adopted, and concurred in, incorporating any amendments and corrections that were approved by both houses.

(27) EXPUNGE: To remove material from the record and thus undo some senate action.

(27m) EXTRAORDINARY SESSION: The convening of the legislature by the assembly and senate committees on organization or by joint resolution of the legislature to accomplish the business specified in the action calling the session.

(28) FISCAL ESTIMATE: A memorandum pursuant to joint rules 41 to 50, explaining the impact of a bill on state or local finances.

(29m) FLOOR OF THE SENATE: That portion of the senate chamber that is reserved for members, senate officers, and persons granted the privilege of the floor.

(30) FLOOR AMENDMENT: Any amendment offered for consideration at the 2nd reading stage, or for committee consideration, but not drafted by the legislative reference bureau.

(31) GERMANENESS: The relevance or appropriateness of amendments.

(32) HEARING: A committee meeting at which the public is invited to testify on a proposal or issue.

(33) HISTORY: A record of actions on a proposal.

(33m) HISTORY FILE: The list of entries made by the chief clerk in the bulletin of proceedings, recording the actions of the legislature on a proposal.

(34) INCIDENTAL MOTIONS AND REQUESTS: A group of motions and requests that generally relates to the proceedings, procedures, and subsidiary questions during debate, and that must be disposed of before proceeding to the main question under consideration. Incidental questions have lower precedence than privileged questions but higher precedence than subsidiary and main motions.

(35) INDEFINITE POSTPONEMENT: A motion to kill a proposal in its house of origin for a biennial session.

(36) INTRODUCTION: The formal presentation of a bill before one of the houses [see also sub. (50m)].

(37) JOINT CONVENTION, ALSO CALLED JOINT SESSION: A joint meeting of the senate and the assembly.

(38) JOINT HEARING: A hearing held by a joint committee or by committees of both houses.

(39) JOINT RESOLUTION: A proposal requiring adoption by both houses, to: a) express the opinion of the legislature; b) change the joint rules of the legislature; c) propose an amendment to the state constitution; or d) propose or ratify an amendment to the U.S. constitution.

(40) JOINT RULES: The common rules of proceedings adopted by both houses.

(41) JOURNAL: The official publication of one of the houses.

(42) LEAVE: Permission to be absent from one of the houses.

(43) LEGISLATIVE DAY: Any day on which the legislature is in session.

(44) **MAIN MOTIONS AND QUESTIONS:** The final affirmative question concerning a proposal during any stage of its consideration or a motion made or question raised when no other matter is before the house. Main questions have lower precedence than privileged, incidental, and subsidiary questions.

(45) **MAJORITY:** One more than one-half.

(46) **MANUAL:** The publication containing the rules of a house, the joint rules, the session schedule, the state constitution, alphabetical indexes, and other materials relevant to a legislator's job.

(47) **MEMBER:** A duly elected senator or representative to the assembly.

(48) **MEMBERS PRESENT:** Those members in attendance at a daily meeting of the senate.

(48m) **MEASURE:** Another term for proposal.

(49) **MOTION:** A proposed action requiring approval by a vote of a house.

(50) **NONCONCURRENCE:** The refusal of one house to agree to a proposal, amendment, or action of the other.

(50m) **OFFER:** The formal presentation of a joint resolution, resolution, substitute amendment, amendment, or motion before a house [see also sub. (36)].

(51) **OPINION OF THE ATTORNEY GENERAL:** A formal reply by the attorney general to a specific question.

(52) **PAIR:** A written agreement between 2 members on opposite sides of a question not to vote on that question while one or both are absent with leave, which permits the absent member to influence the outcome of a vote.

(53) **PARLIAMENTARY INQUIRY:** A request for an explanation of a legislative rule or proceeding.

(53m) **PARTISAN CAUCUS:** A conference convened by 2 or more members of a political party to discuss business related to the organization or agenda of that party within the legislature or to discuss any matter pending in or proposed for introduction in the legislature. To facilitate bipartisan cooperation, the members who convened the conference may permit members of another political party to attend.

(54) **PASSAGE:** Final approval in the first house of a bill introduced in that house if referring to action of one house and final approval of both houses of a bill introduced in either house if referring to action of both houses [see also subs. (3) and (16)].

(55) PETITION: A request that one of the houses take a particular course of action.

(56) POINT OF ORDER: A request that the presiding officer rule on some matter of parliamentary procedure.

(57) PRECEDENT: A previous ruling, decision, or action used to interpret legislative rules.

(57d) PRESIDENT: A member of the senate, elected by the membership to preside over the senate and carry out the duties as described in the senate rules, the joint rules, and the statutes.

(57m) PRESIDENT PRO TEMPORE: A member of the senate, elected by the membership to carry out the duties of the president in his or her absence until the return of the president or until a president is elected.

(57p) PRESIDING OFFICER: The person presiding over the senate or assembly in daily session [see also subs. (11), (57d), and (57m)].

(59) PRIVILEGED MOTIONS AND REQUESTS: A group of motions and requests relating to basic questions concerning the meetings, organization, rules, rights, and duties of the senate or assembly and its members and having the highest precedence for consideration. Privileged motions and requests take precedence over incidental, subsidiary, and main questions.

(60) PROPOSAL: A resolution, joint resolution, or bill put before a house for consideration.

(61) QUESTION: A statement before one of the houses for decision.

(62) QUORUM: A majority of the current senate membership, unless otherwise required by the state constitution.

(63) RECESS: A temporary suspension of business during a roll call day.

(64) RECONSIDERATION: A motion to nullify a decision and again consider and vote on the question involved.

(65) REGULAR ORDER OF BUSINESS: The regular sequence of deliberations on any legislative day.

(66) REGULAR SESSION: The biennial session of the legislature established by the constitution and by section 13.02 of the statutes. The Wisconsin legislature convenes in the capitol on the first Monday of January in each odd-numbered year at 2 p.m. to take the oath of office, to select officers, and to organize itself for the conduct of its business, but if the first Monday falls on January 1 or 2, the legislature organizes on January 3. Daily meetings begin in January of each year and continue

throughout the biennial session until the final adjournment of the biennial session.

(67) REJECTION: An action for the adverse and final disposition of: a) a resolution or joint resolution for the biennial session of the legislature; b) an amendment or substitute amendment with regard to one specific document; c) the application of a motion to the current situation; and d) the report of a committee.

(68) REMAIN INFORMAL: A temporary suspension of proceedings in one of the houses.

(69) REQUEST: A proposed action that does not require a vote because: a) unanimous consent has been asked for; or 1g) the presiding officer has the authority to take or order the requested action.

(70) RESCIND: An action by which one of the houses nullifies an action on a proposal so as to enable the house to again consider a proposal from a given stage. When a motion to rescind prevails, the house resumes its consideration of a proposal at the stage indicated in the motion.

(71) RESOLUTION: A proposal: expressing the opinion of one of the houses; changing the rules of one of the houses; or confirming a nomination for appointment.

(73) ROLL CALL DAY: A legislative day on which a roll call is taken.

(74) ROLL CALL VOTE: A vote on which each member voting is recorded by name.

(75) RULES OF PROCEDURE: The legislative rules that govern the conduct of legislative business.

(76) RULING: The presiding officer's decision on a point of order.

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

(78) SERGEANT AT ARMS: The officer elected by the members to perform and direct the police and custodial functions of one of the houses.

(79) SINE DIE ADJOURNMENT: The final adjournment of a biennial or special session.

(84) SPECIAL SESSION: The convening of the legislature by the governor to accomplish a special purpose for which convened.

(85) STAGE: One of the formal steps in the legislative process.

(86) STANDING COMMITTEE: A permanent legislative committee.

(87) SUBSIDIARY MOTIONS: A group of motions that change, or delay or accelerate the consideration of, a proposal before a house. Subsidiary

motions have lower precedence than privileged and incidental questions, but higher precedence than main motions.

(88) **SUBSTITUTE AMENDMENT:** An amendment that, if accepted, takes the place of the original proposal. The term more accurately describes a “substitute bill” or “substitute resolution.”

(90) **SUSPENSION OF THE RULES:** A motion requiring the support of two-thirds of the members present and by which a special action on a specific proposal is accomplished despite the existence of a rule blocking the action. Any suspension of the rules is temporary.

(92) **UNANIMOUS CONSENT:** A request for a specific purpose; if an objection is not heard, it is assumed that the request has the consent of the entire body.

(93) **VETO:** The action by which a bill or a part thereof is rejected by the governor.

(94) **VOICE VOTE:** A vote taken by asking the members in favor of a question to say “aye” simultaneously and then the members opposed to likewise say “no.”

[cr. 2001 S.Res. 2]
[(3), (4), (5), (7), (16), (20), (27), (27m), (28), (33), (35), (36), (40), (48), (50), (50m), (52), (53), (54), (57m), (59), (62), (63), (66), (70), (71) and (79) am.
2003 S.Res. 3]
[(57p) cr. 2003 S.Res. 3]
[(27m) am. 2005 S.Res. 2]
[(53m) cr. 2009 S.Res. 2]
[(77) am. 2013 S.Res. 3]

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Quick Finder: **QUORUM**
. **ROLL CALL**
. **MAJORITY**

Quorum

A majority of the current membership of the senate constitutes a quorum for the transaction of business unless a higher number is required by the state constitution, law, or legislative rule. Senate Rules 15 and 39 and Joint Rule 11 (1). Less than a quorum may adjourn or order a call of the senate. See Wis. Con. IV-7 and Senate Rule 15.

Three-fifths of the **members elected** (20 senators) is the quorum for final passage of “fiscal bills”; Wis. Con. VIII-8. Consequently, the minimum majority for approval of “fiscal bills” is 11 senators.

A “fiscal bill” is any bill which: 1) imposes, continues or renews a tax; 2) creates a state debt or charge; 3) makes, continues or renews an appropriation of public or trust money; or 4) releases, discharges or commutes a claim or demand of the state; Wis. Con. VIII-8.

Roll Call

The senate may decide any question by a voice vote unless a roll call is ordered by the presiding officer or at the request of one-sixth of the senators present (Senate Rule 72 (1) and Wis. Con. IV-20), or is required by the state constitution, law, or legislative rule. A roll call vote, with the ayes and noes entered in the journal, is required for any senate decision that needs a special QUORUM or a special MAJORITY for final determination. In addition, roll call votes are required for:

Adjournment or adjournment to a time certain under call; Senate Rule 85 (1).

Appeal from ruling of presiding officer; Senate Rule 56m (4).

Conference committee report, vote to approve; Joint Rule 3 (1)(c).

Election by the legislature; Senate Rules 1, 5, 6, Wis. Con. IV-30.

Governor’s or state superintendent’s nomination for appointment; Senate Rule 22 (2).

Raise a call of the senate; Senate Rule 85 (5)

Ratify amendment to U.S. constitution; Joint Rule 58 (2).

Majority

The senate may decide any question by a majority of a quorum (Senate Rule 15 and Joint Rule 12 (1)) unless a higher vote total is required for final approval by the state constitution, law, or legislative rule (Senate Rule 39 and Joint Rule 12).

Three-fourths of all the **members elected** to both houses:

Increased retirement fund benefits, approval of bill to grant; Wis. Con. IV-26 (3).

Two-thirds of all the **members elected** (22 senators):

Expulsion of an elected senator; Wis. Con. IV-8.

Removal of justice or judge by address; Wis. Con. VII-13.

Two-thirds of **members present**:

Impeachment, trial of; Wis. Con. VII-1.

Message to assembly, rescind motion; Senate Rule 42 (2).

Rules, suspension of; Senate Rule 91.

Veto, passage notwithstanding governor's objections; Wis. Con. V-10.

Majority of all the **members elected** (17 senators):

Bonded indebtedness, authorizing; Wis. Con. VIII-7.

Constitutional amendment, approval on first or 2nd consideration; Wis. Con XII-1 and Joint Rule 12 (2)(f).

Debt for extraordinary expenditures; Wis. Con. VIII-6.

Majority of **three-fifth** of all the members elected (*see* Quorum):

Any "fiscal bill", vote on passage; Wis. Con. VIII-8.

Less than a majority:

Less than majority adjourn; Senate Rule 15 and Wis. Con. IV-7.

Call of the senate, five senators; Senate Rules 15 and 81 and Wis. Con. IV-7.

Raise a call of the senate, majority of those present; Senate Rule 85 (5).

Roll call ordered, one-sixth of those present; Senate Rule 72 (1) and Wis. Con. IV-20.