



State of Wisconsin
2015 - 2016 LEGISLATURE



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WED 10/29

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
2015 SENATE RESOLUTION

Gen

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

Analysis by the Legislative Reference Bureau

This resolution makes the following changes to the senate rules:

Prohibiting senators from taking photographs or using video recording equipment or devices in senate chamber

The resolution prohibits senators from taking photographs or using any video recording equipment or device in the senate chamber.

Orders of business and opening prayer and pledge of allegiance

The resolution clarifies that the opening prayer and pledge of allegiance need not precede the call of roll on a floor day.

Consideration of unfinished calendars

The resolution provides that unfinished calendars are to be taken up at a time designated by the Committee on Senate Organization. Currently, unless otherwise ordered, these calendars are taken up after the 9th and before the 10th order of business on the current floor day.

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Admittance to senate chamber before and after floor period

The resolution provides that no person may be admitted to the senate chamber immediately before convening and immediately after adjourning a floor period without the permission of the presiding officer. Under the resolution, the presiding officer must establish the time periods before the convening and after the adjourning of a floor period when this provision applies. This provision, however, does not apply

to 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, as well as state officers, all other 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.

Disturbances in senate chamber

Current senate rules permit the presiding officer to clear the senate floor, gallery, or lobby of all persons except members and officers whenever a disturbance occurs. The resolution provides that this power applies to the entire senate chamber.

Specifying ranking minority member of committees

The resolution provides that, unless the member is the chairperson, the first-nominated minority member of each standing committee who is first nominated by the minority leader is the ranking minority member of that committee unless the chairperson of the committee on senate organization and minority leader agree that the first-nominated member is the vice chairperson of the committee. Current senate rules are silent on identifying the ranking minority member of committees.

Participation in committee meetings via teleconference

Current senate rules provide that a member of a committee who is connected to a meeting of the committee via teleconference is considered present for purposes of determining whether a quorum exists if the committee chairperson consents. The resolution provides that this may occur only if a majority of the committee is attending the meeting in person.

Ballot voting in senate committees

Current senate rules permit committees to conduct an executive session on a proposal, amendment, appointment, or proposed administrative rule by ballot. The resolution allows a member, no later than 24 hours after receiving notification of the final ballot vote, to change his or her vote if the change will not affect the outcome of the vote.

Public notice of ballot voting in senate committees

The resolution provides that if a chairperson of a committee elects to vote by ballot, public notice must be posted on the bulletin board of each house prior to the circulation of the ballot 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. But in no case may notice be provided less than two hours in advance of a meeting. This provision, however, does not apply to the Senate Committee on Organization for purposes of scheduling business before the senate.

Reporting of proposals and appointments out of committee

The resolution provides that a committee may not report out any proposal or appointment that does not receive the vote of a majority of the members present, except that a committee may report out a proposal or appointment without recommendation if the vote is tied.

Motion for adverse and final disposition of assembly amendments to senate bills

The resolution provides that nonconcurrency is the proper motion for adverse and final disposition of assembly amendments to senate bills.

Points of order and consideration

The resolution clarifies that when a point of order concerns a proposal or a question currently pending on the proposal, taking the point of order under advisement removes the proposal or the question currently pending on the proposal from further consideration until the presiding officer announces the ruling on the point of order. The resolution also applies this principle to amendments.

Removing proposals from the table

The resolution clarifies that 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 of the next legislative day. Current senate rules do not specify which day's calendar.

Missed roll calls

Current senate rules provide that 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 the request does not interrupt another roll call; the request is made no later than immediately following the close of the next occurring roll call; and the member's vote, if included, will not change the result of the roll call.

The resolution changes the timing of the request to no later than before the close of the second succeeding roll call.

Voting immediately on main question

The resolution clarifies that when a successful motion is made to vote immediately on the main question, all amendments and substitute amendments must also be voted on immediately without debate.

Entering of names in the journal during a call of the senate

Current senate rules provide that during a call of the senate, the chief clerk must immediately call the roll of the members, and note the absentees, whose names are read, and entered upon the journal in such manner as to show who are absent with leave and who are absent without leave. This resolution provides that the chief clerk is to enter the names upon the journal only if directed by the presiding officer.

Transacting business while under a call of the senate

The resolution clarifies that while the senate is under call, business may not be transacted with reference to the current question on which the call is made, but that other matters may be taken up.

Terminating a call of the senate

The resolution clarifies that when the sergeant at arms reports that all who were absent without leave during a call are present and names them, the call is lifted. There is currently ambiguity on when a call is lifted.

Notice of committee meetings during special, extended, and extraordinary sessions

The resolution provides that during a special, extended, or extraordinary session a notice of a committee meeting is not required other than posting on the legislative bulletin board and the legislature's Internet site. Currently, the notice need only be posted on the legislative bulletin board.

Matters that may be taken up during special, extended, and extraordinary sessions

The resolution provides that any nominations for appointments may be taken up during a special, extended, or extraordinary session.

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

2 **SECTION 1.** Senate rule 8 (4) is amended to read:

3 SENATE RULE 8 (4) A member or other person may not, within the senate
4 chamber, read newspapers, periodicals, magazines, books, or similar materials,
5 unless the publication is relevant to the debate on the senate floor, ~~or~~ consume food,
6 beverages, or tobacco products; take photographs or use any video recording
7 equipment or device.

8 **SECTION 2.** Senate rule 11 (10) is created to read:

9 SENATE RULE 11 (10) Except for a person described in sub. (1) or (2), no person
10 may be admitted to the senate chamber immediately before convening and
11 immediately after adjourning a floorperiod without the permission of the presiding
12 officer. The presiding officer shall establish the time periods before the convening
13 and after the adjourning of a floorperiod when this subsection shall apply.

14 **SECTION 3.** Senate rule 13 is amended to read:

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

1 SECTION 4. Senate rule 17 (1) (intro.) is amended to read:

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

4 SECTION 5. Senate rule 18 (4) is amended to read:

5 SENATE RULE 18 (4) Unless otherwise ordered, ~~after completion of the 9th order~~
6 ~~of business of the current calendar day, and before consideration of the 10th and~~
7 ~~succeeding orders,~~ unfinished calendars shall be taken up and completed at a time
8 designated by the committee on senate organization.

9 SECTION 6. Senate rule 20 (2) (d) is created to read:

10 SENATE RULE 20 (2) (d) Unless the member is the chairperson, the
11 first-nominated minority member of each standing committee who is first
12 nominated by the minority leader is the ranking minority member of that committee
13 unless the chairperson of the committee on senate organization and minority leader
14 agree that the first-nominated member is the vice chairperson of the committee.

15 SECTION 7. Senate rule 24 is amended to read:

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

1 **SECTION 8.** Senate rule 25 (4) (am) is amended to read:

2 **SENATE RULE 25 (4) (am)** A committee may not conduct an executive session on
3 a proposal, amendment, appointment, or proposed administrative rule by ballot
4 unless the proposal, amendment, appointment, or proposed administrative rule has
5 lain over for at least 24 hours. The committee on senate organization may determine
6 that for good cause such a layover is impossible or impractical. In no case, however,
7 may a proposal, amendment, appointment, or proposed administrative rule be made
8 available to the public less than 2 hours before a ballot is circulated. The ballots shall
9 be in a form prescribed by the chief clerk. No later than 24 hours after receiving
10 notification of the final ballot vote, a member may change his or her vote if the change
11 will not affect the outcome of the vote.

12 **SECTION 9.** Senate rule 25 (4) (b) is amended to read:

13 **SENATE RULE 25 (4) (b)** If a chairperson of a committee elects to vote by ballot
14 under par. (am), public notice shall be posted on the bulletin board of each house prior
15 to the circulation of the ballot as provided under sub. (1) (b) and (d). The notice shall
16 indicate the day and hour when the ballot will be circulated and the number, author,
17 and relating clause of each proposal to be considered. If un-introduced legislation will
18 be considered, the notice shall indicate the draft number assigned to the legislation
19 by the legislative reference bureau and the relating clause of the legislation, and
20 shall indicate that copies of the draft legislation are available at the chief clerk's
21 office. The chairperson shall provide a copy of the draft legislation to the chief clerk
22 before posting the notice. The chief clerk shall distribute copies of the draft
23 legislation to any person who requests such copies.

24 **SECTION 10.** Senate rule 27 (4) (a) is amended to read:

1 SENATE RULE 27 (4) (a) A committee may not report out any proposal or
2 appointment that does not receive the vote of a majority of the members present,
3 except that a committee may report out a proposal or appointment without
4 recommendation only if the vote is tied. The committee report shall indicate the
5 numerical vote on the motion on which the recommendation is based.

6 **SECTION 11.** Senate rule 36 (2) (a) is amended to read:

7 SENATE RULE 36 (2) (a) Except as provided in ~~pars.~~ par. (c) ~~and (d)~~, all bills
8 introduced in the senate which by statute require reference in the senate to a
9 particular committee shall be so referred upon first reading and all assembly bills
10 when received from the assembly shall be so referred upon first reading except where
11 the assembly record on the bill discloses that the statutory requirement has been
12 satisfied by reference to the committee in the assembly.

13 **SECTION 12.** Senate rule 44m (3) is amended to read:

14 SENATE RULE 44m (3) Upon the call of the governor, unless otherwise provided
15 by the session schedule, motion of the senate, or directive of the ~~president~~ majority
16 leader, the chief clerk shall immediately present a correctly enrolled bill to the
17 governor.

18 **SECTION 13.** Senate rule 46 (6) (c) is amended to read:

19 SENATE RULE 46 (6) (c) Nonconcurrency (assembly bills ~~and~~, assembly joint
20 resolutions, and assembly amendments to senate bills).

21 **SECTION 14.** Senate rule 56m (2m) is amended to read:

22 SENATE RULE 56m (2m) When the point of order concerns a proposal or a
23 question currently pending on ~~such~~ the proposal, taking the point of order under
24 advisement removes the proposal or the question currently pending on the proposal

1 from further consideration until the presiding officer announces the ruling on the
2 point of order.

3 **SECTION 15.** Senate rule 56m (2r) is created to read:

4 SENATE RULE 56m (2r) When the point of order concerns an amendment, taking
5 the point of order under advisement removes the amendment from further
6 consideration until the presiding officer announces the ruling on the point of order.

7 **SECTION 16.** Senate rule 65 (3) is amended to read:

8 SENATE RULE 65 (3) A motion to remove a proposal from the table, if approved,
9 has the effect of withdrawing the matter from the committee on senate organization
10 and placing it on the calendar of the next legislative day.

11 **SECTION 17.** Senate rule 73m (1) (b) is amended to read:

12 SENATE RULE 73m (1) (b) The request is made no later than immediately
13 following the close of the next occurring second succeeding roll call.

14 **SECTION 18.** Senate rule 77 (3) is amended to read:

15 SENATE RULE 77 (3) When a matter is under consideration a member may move
16 that the senate vote immediately on the main question. The motion is not debatable
17 and if carried by a majority the main question then pending before the senate shall
18 be put to a vote without debate. If a motion is made under this subsection the
19 question is: "Shall the senate vote immediately on the main question?" If the motion
20 carries, the effect is to end the debate on the question then before the senate and
21 bring the senate to a vote on the main question. Amendments or substitute
22 amendments may be offered, but not debated, and shall be considered immediately
23 without debate. A motion to table the proposal to which the main question relates
24 is not in order after a motion under this subsection has been made.

25 **SECTION 19.** Senate rule 79 is amended to read:

1 SENATE RULE 79 **But one motion to reconsider in order; main question**

2 **may remain before the senate.** After a motion under rule 77 (1) or (3) has carried,
3 only one motion to reconsider is in order. If the motion to reconsider carries, the main
4 question shall remain as the question before the senate, in the same stage of
5 proceedings as before the motion under rule 77 (1) or (3) was made.

6 SECTION 20. Senate rule 84 is amended to read:

7 SENATE RULE 84 **Sergeant to bring in absentees.** The chief clerk shall

8 immediately call the roll of the members, and note the absentees, whose names shall
9 be read, and, if directed by the presiding officer, entered upon the journal in such
10 manner as to show who are absent with leave and who are absent without leave. The
11 chief clerk shall furnish the sergeant at arms with a list of those who are absent
12 without leave, and the sergeant at arms shall forthwith proceed to find and bring in
13 such absentees. In exercising his or her responsibilities under this rule, the sergeant
14 at arms may request the assistance of any law enforcement officer in this state.

15 SECTION 21. Senate rule 85 (1) is amended to read:

16 SENATE RULE 85 (1) **Sergeant to bring in absentees.** GENERAL RULE. While

17 the senate is under call, business may not be transacted with reference to the ~~matter~~
18 current question on which the call is made except to receive and act upon the report
19 of the sergeant at arms, to act on a motion to raise one or more calls, to adjourn, or
20 to adjourn to a time certain. A roll call on a call of the senate must be completed
21 before the senate may take up a special order fixed for that time. A joint resolution
22 to dispose of all matters before the senate and to recess includes matters under call.

23 SECTION 22. Senate rule 87 is amended to read:

24 SENATE RULE 87 **Call raised when absentees present and business**

25 **disposed of.** When the sergeant at arms reports that all who were absent without

1 leave are present and names them, ~~the report shall be entered on the journal. The~~
2 ~~call ends as soon as the business, pending when the call was made, is disposed of the~~
3 call is lifted.

4 **SECTION 23.** Senate rule 93 (1d) is amended to read:

5 SENATE RULE 93 (1d) Resolutions offering commendations, congratulations, or
6 condolences, memorializing congress or an individual, or affecting senate or
7 legislative rules or proceedings, and nominations for appointments are declared not
8 to be within the meaning of the term "business" under the constitutional provision
9 limiting the matters to be considered during special sessions to those enumerated in
10 the governor's call for a special session. All such matters may be considered during
11 any extraordinary session. All such matters are not subject to sub. (1p).

12 **SECTION 24.** Senate rule 93 (2) is amended to read:

13 SENATE RULE 93 (2) A notice of a committee meeting is not required other than
14 posting on the legislative bulletin board, ~~and a bulletin of committee hearings may~~
15 ~~not be published~~ and the legislature's Internet site.

16 (END)



PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
2015 SENATE RESOLUTION

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10/29*

1 **To amend** senate rule 8 (4), senate rule 13, senate rule 17 (1) (intro.), senate rule 18
2 (4), senate rule 24, senate rule 25 (4) (am), senate rule 25 (4) (b), senate rule 27
3 (4) (a), senate rule 36 (2) (a), senate rule 44m (3), senate rule 46 (6) (c), senate
4 rule 56m (2m), senate rule 65 (3), senate rule 73m (1) (b), senate rule 77 (3),
5 senate rule 79, senate rule 84, senate rule 85 (1), senate rule 87, senate rule 93
6 (1d) and senate rule 93 (2); and **to create** senate rule 11 (10), senate rule 20 (2)
7 (d) and senate rule 56m (2r); **relating to:** the senate rules.

Analysis by the Legislative Reference Bureau

This resolution makes the following changes to the senate rules:

① ***Prohibiting senators from taking photographs or using video recording equipment or devices in senate chamber***

The resolution prohibits senators from taking photographs or using any video recording equipment or device in the senate chamber.

Orders of business and opening prayer and pledge of allegiance

④ The resolution clarifies that the opening prayer and pledge of allegiance need not precede the call of roll on a floor day.

5 *Consideration of unfinished calendars*

The resolution provides that unfinished calendars are to be taken up at a time designated by the Committee on Senate Organization. Currently, unless otherwise ordered, these calendars are taken up after the ninth and before the tenth order of business on the current floor day.

2 *Admittance to senate chamber before and after floorperiod*

The resolution provides that no person may be admitted to the senate chamber immediately before convening and immediately after adjourning a floorperiod without the permission of the presiding officer. Under the resolution, the presiding officer must establish the time periods before the convening and after the adjourning of a floorperiod when this provision applies. This provision, however, does not apply to 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, as well as state officers, all other 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 *Disturbances in senate chamber*

Current senate rules permit the presiding officer to clear the senate floor, gallery, or lobby of all persons except members and officers whenever a disturbance occurs. The resolution provides that this power applies to the entire senate chamber.

Specifying ranking minority member of committees

The resolution provides that, unless the member is the chairperson, the first-nominated minority member of each standing committee who is first nominated by the minority leader is the ranking minority member of that committee unless the chairperson of the Committee on Senate Organization and minority leader agree that the first-nominated member is the vice chairperson of the committee. Current senate rules are silent on identifying the ranking minority member of committees.

6 *Participation in committee meetings via teleconference*

Current senate rules provide that a member of a committee who is connected to a meeting of the committee via teleconference is considered present for purposes of determining whether a quorum exists if the committee chairperson consents. The resolution provides that this may occur only if a majority of the committee is attending the meeting in person.

7 *Ballot voting in senate committees*

Current senate rules permit committees to conduct an executive session on a proposal, amendment, appointment, or proposed administrative rule by ballot. The resolution allows a member, no later than 24 hours after receiving notification of the final ballot vote, to change his or her vote if the change will not affect the outcome of the vote.

8 *Public notice of ballot voting in senate committees*

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Motion for adverse and final disposition of assembly amendments to senate bills

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14 The resolution clarifies that when a point of order concerns a proposal or a question currently pending on the proposal, taking the point of order under advisement removes the proposal or the question currently pending on the proposal from further consideration until the presiding officer announces the ruling on the point of order. The resolution also applies this principle to amendments.

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17 Current senate rules provide that 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 the request does not interrupt another roll call; the request is made no later than immediately following the close of the next occurring roll call; and the member's vote, if included, will not change the result of the roll call.

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4 in the senate chamber, the presiding officer may order ~~the same~~ any part of the
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6 SECTION 4. Senate rule 17 (1) (intro.) is amended to read:

- reverse order

7 SENATE RULE 17 (1) (intro.) ~~Following~~ Including any opening prayer and the
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10 SENATE RULE 18 (4) Unless otherwise ordered, ~~after completion of the 9th order~~
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21 governor.

22 **SECTION 13.** Senate rule 46 (6) (c) is amended to read:

23 SENATE RULE 46 (6) (c) Nonconcurrence (assembly bills ~~and~~, assembly joint
24 resolutions, and assembly amendments to senate bills).

25 **SECTION 14.** Senate rule 56m (2m) is amended to read:

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

6 **SECTION 15.** Senate rule 56m (2r) is created to read:

7 SENATE RULE 56m (2r) When the point of order concerns an amendment, taking
8 the point of order under advisement removes the amendment from further
9 consideration until the presiding officer announces the ruling on the point of order.

10 **SECTION 16.** Senate rule 65 (3) is amended to read:

11 SENATE RULE 65 (3) A motion to remove a proposal from the table, if approved,
12 has the effect of withdrawing the matter from the committee on senate organization
13 and placing it on the calendar of the next legislative day.

14 **SECTION 17.** Senate rule 73m (1) (b) is amended to read:

15 SENATE RULE 73m (1) (b) The request is made no later than ~~immediately~~
16 following the ~~close~~ of the next occurring 2nd succeeding roll call.

17 **SECTION 18.** Senate rule 77 (3) is amended to read:

18 SENATE RULE 77 (3) When a matter is under consideration a member may move
19 that the senate vote immediately on the main question. The motion is not debatable
20 and if carried by a majority the main question then pending before the senate shall
21 be put to a vote without debate. If a motion is made under this subsection the
22 question is: "Shall the senate vote immediately on the main question?" If the motion
23 carries, the effect is to end the debate on the question then before the senate and
24 bring the senate to a vote on the main question. Amendments or substitute
25 amendments ~~may be offered, but not debated, and shall be considered immediately~~

There
may be
no 3rd
reading

start of
opening

1 without debate. A motion to table the proposal to which the main question relates
2 is not in order after a motion under this subsection has been made.

3 **SECTION 19.** Senate rule 79 is amended to read:

4 **SENATE RULE 79. But one motion to reconsider in order; main question**
5 **may remain before the senate.** After a motion under rule 77 (1) or (3) has carried,
6 only one motion to reconsider is in order. If the motion to reconsider carries, the main
7 question shall remain as the question before the senate, in the same stage of
8 proceedings as before the motion under rule 77 (1) or (3) was made.

9 **SECTION 20.** Senate rule 84 is amended to read:

10 **SENATE RULE 84. Sergeant to bring in absentees.** The chief clerk shall
11 immediately call the roll of the members, and note the absentees, whose names shall
12 be read, and, if directed by the presiding officer, entered upon the journal in such
13 manner as to show who are absent with leave and who are absent without leave. The
14 chief clerk shall furnish the sergeant at arms with a list of those who are absent
15 without leave, and the sergeant at arms shall forthwith proceed to find and bring in
16 such absentees. In exercising his or her responsibilities under this rule, the sergeant
17 at arms may request the assistance of any law enforcement officer in this state.

18 **SECTION 21.** Senate rule 85 (1) is amended to read:

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

1 **SECTION 22.** Senate rule 87 is amended to read:

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

7 **SECTION 23.** Senate rule 93 (1d) is amended to read:

8 **SENATE RULE 93 (1d)** Resolutions offering commendations, congratulations, or
9 condolences, memorializing congress or an individual, or affecting senate or
10 legislative rules or proceedings, and nominations for appointments are declared not
11 to be within the meaning of the term “business” under the constitutional provision
12 limiting the matters to be considered during special sessions to those enumerated in
13 the governor’s call for a special session. All such matters may be considered during
14 any extraordinary session. All such matters are not subject to sub. (1p).

15 **SECTION 24.** Senate rule 93 (2) is amended to read:

16 **SENATE RULE 93 (2)** A notice of a committee meeting is not required other than
17 posting on the legislative bulletin board, ~~and a bulletin of committee hearings may~~
18 ~~not be published~~ and the legislature’s Internet site.

19 (END)



P2

~~Handwritten scribble~~ MONDAY

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION
2015 SENATE RESOLUTION

Regen

1 **To amend** senate rule 8 (4), senate rule 13, senate rule 17 (1) (intro.), senate rule 18
2 (4), senate rule 24, senate rule 25 (4) (am), senate rule 25 (4) (b), senate rule 27
3 (4) (a), senate rule 36 (2) (a), senate rule 44m (3), senate rule 46 (6) (c), senate
4 rule 56m (2m), senate rule 65 (3), senate rule 73m (1) (b), senate rule 77 (3),
5 senate rule 79, senate rule 84, senate rule 85 (1), senate rule 87, senate rule 93
6 (1d) and senate rule 93 (2); and **to create** senate rule 11 (10), senate rule 20 (2)
7 (d) and senate rule 56m (2r); **relating to:** the senate rules.

Analysis by the Legislative Reference Bureau

This resolution makes the following changes to the senate rules:

Prohibiting senators from taking photographs or using video recording equipment or devices in senate chamber

The resolution prohibits senators from taking photographs or using any video recording equipment or device in the senate chamber.

Orders of business and opening prayer and pledge of allegiance

The resolution clarifies that the opening prayer and pledge of allegiance need not precede the call of roll on a floor day.

A - move to page 2

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B

Consideration of unfinished calendars

The resolution provides that unfinished calendars are to be taken up at a time designated by the Committee on Senate Organization. Currently, unless otherwise ordered, these calendars are taken up after the ninth and before the tenth order of business on the current floor day.

Admittance to senate chamber before and after floorperiod

The resolution provides that no person may be admitted to the senate chamber immediately before convening and immediately after adjourning a floorperiod without the permission of the presiding officer. Under the resolution, the presiding officer must establish the time periods before the convening and after the adjourning of a floorperiod when this provision applies. This provision, however, does not apply to 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, as well as state officers, all other 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.

Disturbances in senate chamber

Current senate rules permit the presiding officer to clear the senate floor, gallery, or lobby of all persons except members and officers whenever a disturbance occurs. The resolution provides that this power applies to the entire senate chamber.

Specifying ranking minority member of committees

The resolution provides that, unless the member is the chairperson, the first-nominated minority member of each standing committee who is first nominated by the minority leader is the ranking minority member of that committee unless the chairperson of the Committee on Senate Organization and minority leader agree that the first-nominated member is the vice chairperson of the committee. Current senate rules are silent on identifying the ranking minority member of committees.

Participation in committee meetings via teleconference

Current senate rules provide that a member of a committee who is connected to a meeting of the committee via teleconference is considered present for purposes of determining whether a quorum exists if the committee chairperson consents. The resolution provides that this may occur only if a majority of the committee is attending the meeting in person.

Ballot voting in senate committees

Current senate rules permit committees to conduct an executive session on a proposal, amendment, appointment, or proposed administrative rule by ballot. The resolution allows a member, no later than 24 hours after receiving notification of the final ballot vote, to change his or her vote if the change will not affect the outcome of the vote.

Public notice of ballot voting in senate committees

The resolution provides that if a chairperson of a committee elects to vote by ballot, public notice must be posted on the bulletin board of each house prior to the

Insert
AInsert
B

circulation of the ballot

circulation of the ballot 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. But in no case may notice be provided less than two hours in advance of a meeting. This provision, however, does not apply to the Senate Committee on Organization for purposes of scheduling business before the senate.

Reporting of proposals and appointments out of committee

The resolution provides that a committee may not report out any proposal or appointment that does not receive the vote of a majority of the members present, except that a committee may report out a proposal or appointment without recommendation if the vote is tied.

Motion for adverse and final disposition of assembly amendments to senate bills

The resolution provides that nonconcurrence is the proper motion for adverse and final disposition of assembly amendments to senate bills.

Points of order and consideration

The resolution clarifies that when a point of order concerns a proposal or a question currently pending on the proposal, taking the point of order under advisement removes the proposal or the question currently pending on the proposal from further consideration until the presiding officer announces the ruling on the point of order. The resolution also applies this principle to amendments.

Removing proposals from the table

The resolution clarifies that 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 of the next legislative day. Current senate rules do not specify which day's calendar.

Missed roll calls

Current senate rules provide that 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 the request does not interrupt another roll call; the request is made no later than immediately following the close of the next occurring roll call; and the member's vote, if included, will not change the result of the roll call.

The resolution changes the timing of the request to no later than before the close of the second succeeding roll call.

Voting immediately on main question

The resolution clarifies that when a successful motion is made to vote immediately on the main question, all amendments and substitute amendments must also be voted on immediately without debate.

Entering of names in the journal during a call of the senate

Current senate rules provide that during a call of the senate, the chief clerk must immediately call the roll of the members, and note the absentees, whose names are read, and entered upon the journal in such manner as to show who are absent with leave and who are absent without leave. This resolution provides that the chief clerk is to enter the names upon the journal only if directed by the presiding officer.

third
including ordering the proposal to a 3rd reading,

start

Transacting business while under a call of the senate

The resolution clarifies that while the senate is under call, business may not be transacted with reference to the current question on which the call is made, but that other matters may be taken up.

Terminating a call of the senate

The resolution clarifies that when the sergeant at arms reports that all who were absent without leave during a call are present and names them, the call is lifted. There is currently ambiguity on when a call is lifted.

Notice of committee meetings during special, extended, and extraordinary sessions

The resolution provides that during a special, extended, or extraordinary session a notice of a committee meeting is not required other than posting on the legislative bulletin board and the legislature's Internet site. Currently, the notice need only be posted on the legislative bulletin board.

Matters that may be taken up during special, extended, and extraordinary sessions

The resolution provides that any nominations for appointments may be taken up during a special, extended, or extraordinary session.

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

2 **SECTION 1.** Senate rule 8 (4) is amended to read:

3 SENATE RULE 8 (4) A member or other person may not, within the senate
4 chamber, read newspapers, periodicals, magazines, books, or similar materials,
5 unless the publication is relevant to the debate on the senate floor, ~~or~~; consume food,
6 beverages, or tobacco products; or take photographs or use any video recording
7 equipment or device.

8 **SECTION 2.** Senate rule 11 (10) is created to read:

9 SENATE RULE 11 (10) Except for a person described in sub. (1) or (2), no person
10 may be admitted to the senate chamber immediately before convening and
11 immediately after adjourning a floorperiod without the permission of the presiding
12 officer. The presiding officer shall establish the time periods before the convening
13 and after the adjourning of a floorperiod when this subsection shall apply.

Right 5-9
Right 5-14

SECTION 3. Senate rule 13 is amended to read:

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

SECTION 4. Senate rule 17 (1) (intro.) is amended to read:

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

SECTION 5. Senate rule 18 (4) is amended to read:

SENATE RULE 18 (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 at a time designated by the committee on senate organization.

SECTION 6. Senate rule 20 (2) (d) is created to read:

SENATE RULE 20 (2) (d) Unless the member is the chairperson, the first-nominated minority member of each standing committee who is first nominated by the minority leader is the ranking minority member of that committee unless the chairperson of the committee on senate organization and minority leader agree that the first-nominated member is the vice chairperson of the committee.

SECTION 7. Senate rule 24 is amended to read:

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, but only if a majority of the

with =

1 committee is attending the meeting in person. Subcommittees may be appointed to
2 take charge of any part of the committee's business and to report to the committee.
3 Motions to reconsider may be made in committee, before the papers are reported to
4 the senate. Rereference gives the committee full power to act without reconsidering
5 its former action.

6 **SECTION 8.** Senate rule 25 (4) (am) is amended to read:

7 SENATE RULE 25 (4) (am) A committee may not conduct an executive session on
8 a proposal, amendment, appointment, or proposed administrative rule by ballot
9 unless the proposal, amendment, appointment, or proposed administrative rule has
10 lain over for at least 24 hours. The committee on senate organization may determine
11 that for good cause such a layover is impossible or impractical. In no case, however,
12 may a proposal, amendment, appointment, or proposed administrative rule be made
13 available to the public less than 2 hours before a ballot is circulated. The ballots shall
14 be in a form prescribed by the chief clerk. No later than 24 hours after receiving
15 notification of the final ballot vote, a member may change his or her vote if the change
16 will not affect the outcome of the vote.

17 **SECTION 9.** Senate rule 25 (4) (b) is amended to read:

18 SENATE RULE 25 (4) (b) If a chairperson of a committee elects to vote by ballot
19 under par. (am), public notice shall be posted on the bulletin board of each house prior
20 to the circulation of the ballot as provided under sub. (1) (b) and (d). The notice shall
21 indicate the day and hour when the ballot will be circulated and the number, author,
22 and relating clause of each proposal to be considered. If unintroduced legislation will
23 be considered, the notice shall indicate the draft number assigned to the legislation
24 by the legislative reference bureau and the relating clause of the legislation, and
25 shall indicate that copies of the draft legislation are available at the chief clerk's

1 office. The chairperson shall provide a copy of the draft legislation to the chief clerk
2 before posting the notice. The chief clerk shall distribute copies of the draft
3 legislation to any person who requests such copies.

4 **SECTION 10.** Senate rule 27 (4) (a) is amended to read:

5 **SENATE RULE 27 (4) (a)** A committee may not report out any proposal or
6 appointment that does not receive the vote of a majority of the members present,
7 except that a committee may report out a proposal or appointment without
8 recommendation only if the vote is tied. The committee report shall indicate the
9 numerical vote on the motion on which the recommendation is based.

10 **SECTION 11.** Senate rule 36 (2) (a) is amended to read:

11 **SENATE RULE 36 (2) (a)** Except as provided in ~~pars. par.~~ par. (c) and (d), all bills
12 introduced in the senate which by statute require reference in the senate to a
13 particular committee shall be so referred upon first reading and all assembly bills
14 when received from the assembly shall be so referred upon first reading except where
15 the assembly record on the bill discloses that the statutory requirement has been
16 satisfied by reference to the committee in the assembly.

17 **SECTION 12.** Senate rule 44m (3) is amended to read:

18 **SENATE RULE 44m (3)** Upon the call of the governor, unless otherwise provided
19 by the session schedule, motion of the senate, or directive of the ~~president~~ majority
20 leader, the chief clerk shall immediately present a correctly enrolled bill to the
21 governor.

22 **SECTION 13.** Senate rule 46 (6) (c) is amended to read:

23 **SENATE RULE 46 (6) (c)** Nonconcurrency (assembly bills and, assembly joint
24 resolutions, and assembly amendments to senate bills).

25 **SECTION 14.** Senate rule 56m (2m) is amended to read:

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

reading,

6 SECTION 15. Senate rule 56m (2r) is created to read:

7 SENATE RULE 56m (2r) When the point of order concerns an amendment, taking
 8 the point of order under advisement removes the amendment from further
 9 consideration ~~until the presiding officer announces the ruling on the point of order.~~

10 SECTION 16. Senate rule 65 (3) is amended to read:

11 SENATE RULE 65 (3) A motion to remove a proposal from the table, if approved,
 12 has the effect of withdrawing the matter from the committee on senate organization
 13 and placing it on the calendar of the next legislative day.

14 SECTION 17. Senate rule 73m (1) (b) is amended to read:

15 SENATE RULE 73m (1) (b) The request is made no later than ~~immediately~~
 16 following the close ^{start} of the next occurring 2nd succeeding roll call.

17 SECTION 18. Senate rule 77 (3) is amended to read:

18 SENATE RULE 77 (3) When a matter is under consideration a member may move
 19 that the senate vote immediately on the main question. The motion is not debatable
 20 and if carried by a majority the main question then pending before the senate shall
 21 be put to a vote without debate. If a motion is made under this subsection the
 22 question is: "Shall the senate vote immediately on the main question?" If the motion
 23 carries, the effect is to end the debate on the question then before the senate and
 24 bring the senate to a vote on the main question. Amendments or substitute
 25 amendments ~~may be offered, but not debated,~~ and shall be considered immediately

1 without debate. A motion to table the proposal to which the main question relates
2 is not in order after a motion under this subsection has been made.

3 **SECTION 19.** Senate rule 79 is amended to read:

4 **SENATE RULE 79. But one motion to reconsider in order; main question**
5 **may remain before the senate.** After a motion under rule 77 (1) or (3) has carried,
6 only one motion to reconsider is in order. If the motion to reconsider carries, the main
7 question shall remain as the question before the senate, in the same stage of
8 proceedings as before the motion under rule 77 (1) or (3) was made.

9 **SECTION 20.** Senate rule 84 is amended to read:

10 **SENATE RULE 84. Sergeant to bring in absentees.** The chief clerk shall
11 immediately call the roll of the members, and note the absentees, whose names shall
12 be read, and, if directed by the presiding officer, entered upon the journal in such
13 manner as to show who are absent with leave and who are absent without leave. The
14 chief clerk shall furnish the sergeant at arms with a list of those who are absent
15 without leave, and the sergeant at arms shall forthwith proceed to find and bring in
16 such absentees. In exercising his or her responsibilities under this rule, the sergeant
17 at arms may request the assistance of any law enforcement officer in this state.

18 **SECTION 21.** Senate rule 85 (1) is amended to read:

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

1 **SECTION 22.** Senate rule 87 is amended to read:

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

7 **SECTION 23.** Senate rule 93 (1d) is amended to read:

8 **SENATE RULE 93 (1d)** Resolutions offering commendations, congratulations, or
9 condolences, memorializing congress or an individual, or affecting senate or
10 legislative rules or proceedings, and nominations for appointments are declared not
11 to be within the meaning of the term “business” under the constitutional provision
12 limiting the matters to be considered during special sessions to those enumerated in
13 the governor’s call for a special session. All such matters may be considered during
14 any extraordinary session. All such matters are not subject to sub. (1p).

15 **SECTION 24.** Senate rule 93 (2) is amended to read:

16 **SENATE RULE 93 (2)** A notice of a committee meeting is not required other than
17 posting on the legislative bulletin board, ~~and a bulletin of committee hearings may~~
18 ~~not be published~~ and the legislature’s Internet site.

19

(END)

**2015-2016 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0175/P2ins
RAC&CMH:kjf:jf

Insert 5-9:

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

Insert 5-14:

SENATE RULE 18 (4) Unless otherwise ordered at a time designated by the committee on senate organization, 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.

Insert 8-10:

SENATE RULE 56m (2r) When the point of order concerns an amendment, taking the point of order under advisement removes the amendment from further consideration until the presiding officer announces the ruling on the point of order. Any proposal to which such an amendment is made may not be ordered to a 3rd reading until the presiding officer announces the ruling on the point of order.

4,6 - smokeless products : nicotine delivery

✓ 5,12 - (2)(b) majority leader decides

✓ 6,12 - unless reported out

[6,16: 25(1)(d) = "interval greater"]

✓ 7: SEC 10 - GONE

B 8-9 77(3) = 2nd option can
make to advisory duties of
all pending amendments

9-1 : pending

✓ 9-6 title amend titles remain last
part.

✓ 9-6-10 - Keep current rule

- Presiding officer determines option to vote
on matter during a call of quorum