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State of Misconsin 2015 - 2016 LEGISLATURE



PRELIMINARY DRAFT—NOT READY FOR INTRODUCTION 2015 SENATE RESOLUTION

Today

To repeal senate rule 87; to amend senate rule 13, senate rule 17 (1) (intro.), senate rule 18 (4), senate rule 25 (4) (am), senate rule 25 (4) (b), senate rule 36 (1), senate rule 36 (2) (a), senate rule 36 (2) (c), senate rule 36 (2m), senate rule 44m (3), senate rule 46 (2) (a), senate rule 46 (6) (c), senate rule 56m (2m), senate rule 65 (3), senate rule 73m (1) (b), senate rule 84, senate rule 85 (1), senate rule 93 (1d) and senate rule 93 (2); to repeal and recreate senate rule 77 (3); and to create senate rule 11 (10), senate rule 20 (2) (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.

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.

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 may 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.

Specifying ranking minority member of committees

The resolution provides that, unless the member is the chairperson, the first-appointed minority member of each standing committee is the ranking minority member of that committee. Current senate rules are silent on identifying the ranking minority member of committees.

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 to change his or her vote if the change does not affect the outcome of the vote and if the proposal, amendment, appointment, or proposed administrative rule has not been reported out of committee. In no case, however, may a member change his or her vote later than 24 hours after receiving notification of the final ballot 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 circulation of the ballot, 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.

Referral of bills to committee

The resolution provides that the president must refer bills to the appropriate committee at the direction of the majority leader.

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, including ordering the proposal to a third reading, 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 the start of the second succeeding roll call.

Voting immediately on main question

The resolution establishes two ways to require immediate voting on the main question. Under the first way, if a motion to vote immediately on the main question carries, the effect is to end debate on the question and bring the senate to a vote on the main question. Pending amendments or substitute amendments must be considered immediately without debate. Under the second way, if a motion to vote immediately on the main question carries, the effect is also to end debate on the question and bring the senate to a vote on the main question. But unlike in the first way, pending amendments or substitute amendments are considered adversely disposed of and need not be further considered.

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. In addition, the resolution clarifies that, during a call of the senate, if the presiding officer determines that a quortant is present the presiding officer may transact business on the current question on which the call is made without lifting the call.

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.

Resolved by the senate, That:

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SECTION 1. Senate rule 11 (10) is created to read:

SENATE RULE 11 (10) Except for a person described in sub. (1) or (2), 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. The presiding officer shall establish the time periods before the convening and after the adjourning of a floorperiod when this subsection shall apply.

SECTION 2. 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 3. Senate rule 17 (1) (intro.) is amended to read:

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:

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

| SENATE RULE 18 (4) Unless otherwise ordered at a time designated by the |
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| 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. |

SECTION 5. Senate rule 20 (2) (d) is created to read:

SENATE RULE 20 (2) (d) Unless the member is the chairperson, the first-appointed minority member of each standing committee is the ranking minority member of that committee.

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

Senate Rule 25 (4) (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. A member may change his or her vote if the change will not affect the outcome of the vote and if the proposal, amendment, appointment, or proposed administrative rule has not been reported out of committee. In no case, however, may a member change his or her vote later than 24 hours after receiving notification of the final ballot vote.

SECTION 7. Senate rule 25 (4) (b) is amended to read:

SENATE RULE 25 (4) (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 <u>as provided under sub. (1) (b) and (d)</u>. 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 unintroduced 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.

SECTION 8. Senate rule 36 (1) is amended to read:

SENATE RULE 36 (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, at the direction of the majority leader, 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.

SECTION 9. Senate rule 36 (2) (a) is amended to read:

SENATE RULE 36 (2) (a) Except as provided in pars. par. (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.

SECTION 10. Senate rule 36 (2) (c) is amended to read:

SENATE RULE 36 (2) (c) Notwithstanding par. (a), the president may refer a bill under sub. (1) that pertains only incidentally to a matter of concern to a joint survey

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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.

SECTION 11. Senate rule 36 (2m) is amended to read:

SENATE RULE 36 (2m) Bills referred to a statutory joint survey committee shall, upon report by that committee, be referred by the president, at the direction of the majority leader, to the appropriate standing committee of the senate.

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

Senate Rule 44m (3) Upon the call of the governor, unless otherwise provided by the session schedule, motion of the senate, or directive of the president majority leader, the chief clerk shall immediately present a correctly enrolled bill to the governor.

SECTION 13. Senate rule 46 (2) (a) is amended to read:

Senate Rule 46 (2) (a) The chief clerk shall advise the president of documents presented under sub. (1) that must be referred under the rules and the president, subject to rule 36, 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.

SECTION 14. Senate rule 46 (6) (c) is amended to read:

| 1 | Senate Rule 46 (6) (c) Nonconcurrence (assembly bills and, assembly joint |
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| 2 | resolutions, and assembly amendments to senate bills). |
| 3 | SECTION 15. Senate rule 56m (2m) is amended to read: |
| 4 | SENATE RULE 56m (2m) When the point of order concerns a proposal or a |
| 5 | question currently pending on such the proposal, taking the point of order under |
| 6 | advisement removes the proposal or the question currently pending on the proposal |
| 7 | from further consideration, including ordering the proposal to a 3rd reading, until |
| 8 | the presiding officer announces the ruling on the point of order. |
| 9 | SECTION 16. Senate rule 56m (2r) is created to read: |
| 10 | SENATE RULE 56m (2r) When the point of order concerns an amendment, taking |
| 11 | the point of order under advisement removes the amendment from further |
| 12 | consideration until the presiding officer announces the ruling on the point of order. |
| 13 | Any proposal to which such an amendment is made may not be ordered to a 3rd |
| 14 | reading until the presiding officer announces the ruling on the point of order. |
| 15 | SECTION 17. Senate rule 65 (3) is amended to read: |
| 16 | Senate Rule 65 (3) A motion to remove a proposal from the table, if approved, |
| 17 | has the effect of withdrawing the matter from the committee on senate organization |
| 18 | and placing it on the calendar of the next legislative day. |
| 19 | SECTION 18. Senate rule 73m (1) (b) is amended to read: |
| 20 | SENATE RULE 73m (1) (b) The request is made no later than immediately |
| 21 | following the close start of the next occurring 2nd succeeding roll call. |
| 22 | SECTION 19. Senate rule 77 (3) is repealed and recreated to read: |
| 23 | Senate Rule 77 (3) When a matter is under consideration a member may move |
| 24 | that the senate vote immediately on the main question. The motion is not debatable |

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and if carried by a majority the main question then pending before the senate shall be put to a vote without debate. A motion can be made in either of the following ways:

- (a) If a motion is made under this paragraph, the question is: "Shall the senate proceed immediately without debate to the main question and consider all pending amendments?" 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. Pending amendments or substitute amendments shall be considered immediately without debate. A motion to table the proposal to which the main question relates is not in order after a motion under this paragraph has been made.
- (b) If a motion is made under this paragraph, the question is: "Shall the senate vote immediately on the main question without debate?" 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. Pending amendments or substitute amendments shall be considered adversely disposed of. A motion to table the proposal to which the main question relates is not in order after a motion under this paragraph has been made.

SECTION 20. Senate rule 84 is amended to read:

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, if directed by the presiding officer, 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.

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

Senate Rule 85 (1) General Rule. While the senate is under call, business may not be transacted with reference to the matter current question 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. If the presiding officer determines that adjourn is present during a call, the presiding officer may transact business on the current question on which the call is made without lifting the call. 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.

SECTION 22. Senate rule 87 is repealed.

Section 23. Senate rule 93 (1d) is amended to read:

SENATE RULE 93 (1d) Resolutions offering commendations, congratulations, or condolences, memorializing congress or an individual, or affecting senate or legislative rules or proceedings, and nominations for appointments 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. All such matters are not subject to sub. (1p).

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

Senate Rule 93 (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.



carries, the effect is to end debate on the question and bring the senate to a vote on the main question. Pending amendments or substitute amendments must be considered immediately without debate. Under the second way, if a motion to vote immediately on the main question carries, the effect is also to end debate on the question and bring the senate to a vote on the main question. But unlike in the first way, pending amendments or substitute amendments are considered adversely disposed of and need not be further considered.

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.

Transacting business during a call of the senate

The resolution clarifies that, during a call of the senate, if the presiding officer determines that a quorum is present the presiding officer may transact business on the current question on which the call is made without lifting the call.

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.

Resolved by the senate, That:

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

SENATE RULE 8 (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, electronic cigarettes or electronic picotine delivery systems or tobacco products; or take photographs or use any video recording equipment or device.

Section 2. Senate rule 11 (10) is created to read:

SENATE RULE 11 (10) Except for a person described in sub. (1) or (2), no person may be admitted to the senate chamber immediately before convening and

Senate Rule 85 (1) General rule. While the senate is under call, business may not be transacted with reference to the matter current question 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. If the presiding officer determines that a quorum is present during a call, the presiding officer may transact business on the current question on which the call is made without lifting the call. 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.

SECTION 24. Senate rule 87 is repealed and recreated to read:

SENATE RULE 87. Call raised when absentees present and business disposed of. The call ends when the sergeant at arms reports that all who were absent without leave are present and the business, pending when the call was made, is disposed of.

SECTION 25. Senate rule 93 (1d) is amended to read:

Senate Rule 93 (1d) Resolutions offering commendations, congratulations, or condolences, memorializing congress or an individual, or affecting senate or legislative rules or proceedings, and nominations for appointments 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. All such matters are not subject to sub. (1p).

Section 26. Senate rule 93 (2) is amended to read:



State of Misconsin 2015 - 2016 LEGISLATURE





PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION 2015 SENATE RESOLUTION



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

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This resolution makes the following changes to the senate rules:

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Disturbances in senate chamber

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committee. In no case, however, may a member change his or her vote later than 24 hours after receiving notification of the final ballot vote.

SECTION 8. Senate rule 25 (4) (b) is amended to read:

SENATE RULE 25 (4) (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 as provided under sub. (1) (b) and (d). 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 unintroduced 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.

SECTION 9. Senate rule 36 (1) is amended to read:

SENATE RULE 36 (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, at the direction of the majority leader, 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.

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

SENATE RULE 36 (2) (a) Except as provided in pars. par. (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

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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.

SECTION 11. Senate rule 36 (2) (c) is amended to read:

SENATE RULE 36 (2) (c) Notwithstanding par. (a), the president may refer a bill under sub. (1) 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.

SECTION 12. Senate rule 36 (2m) is amended to read:

SENATE RULE 36 (2m) Bills referred to a statutory joint survey committee shall, upon report by that committee, be referred by the president, at the direction of the majority leader, to the appropriate standing committee of the senate.

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

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

Section 14. Senate rule 46 (2) (a) is amended to read:

SENATE RULE 46 (2) (a) The chief clerk shall advise the president of documents presented under sub. (1) that must be referred under the rules and the president, subject to rule 36, shall promptly refer the document to the appropriate committee. The chief clerk shall maintain the confidentiality of any proposal presented under

| 1 | sub. (1) that is pending referral, except that, if requested by any person, the chief |
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| 2 | clerk shall inform the person of the status of a proposal pending referral under this |
| 3 | paragraph. In addition, if requested by any person, the president shall inform the |
| 4 | person of the status of a proposal pending referral under this paragraph. |
| 5 | SECTION 15. Senate rule 46 (6) (c) is amended to read: |
| 6 | SENATE RULE 46 (6) (c) Nonconcurrence (assembly bills and, assembly joint |
| 7 | resolutions, and assembly amendments to senate bills). |
| 8 | SECTION 16. Senate rule 56m (2m) is amended to read: |
| 9 | SENATE RULE 56m (2m) When the point of order concerns a proposal or a |
| 10 | question currently pending on such the proposal, taking the point of order under |
| 11 | advisement removes the proposal or the question currently pending on the proposal |
| 12 | from further consideration, including ordering the proposal to a 3rd reading, until |
| 13 | the presiding officer announces the ruling on the point of order. |
| 14 | SECTION 17. Senate rule 56m (2r) is created to read: |
| 15 | SENATE RULE 56m (2r) When the point of order concerns an amendment, taking |
| 16 | the point of order under advisement removes the amendment from further |
| 17 | consideration until the presiding officer announces the ruling on the point of order. |
| 18 | Any proposal to which such an amendment is made may not be ordered to a 3rd |
| 19 | reading until the presiding officer announces the ruling on the point of order. |
| 20 | SECTION 18. Senate rule 65 (3) is amended to read: |
| 21 | SENATE RULE 65 (3) A motion to remove a proposal from the table, if approved, |
| 22 | has the effect of withdrawing the matter from the committee on senate organization |
| 23 | and placing it on the calendar of the next legislative day. |
| | |

SECTION 19. Senate rule 73m (1) (b) is amended to read:

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| 1 | SENATE RULE 73m (1) (b) The request is made no later than immediately |
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| 2 | following the close start of the next occurring 2nd succeeding roll call. |
| 3 | SECTION 20. Senate rule 77 (3) is repealed and recreated to read: |
| 4 | SENATE RULE 77 (3) When a matter is under consideration a member may move |
| 5 | that the senate vote immediately on the main question. The motion is not debatable |
| 6 | and if carried by a majority the main question then pending before the senate shall |
| 7 | be put to a vote without debate. A motion can be made in either of the following ways: |
| 8 | (a) If a motion is made under this paragraph, the question is: "Shall the senate |
| 9 | proceed immediately without debate to the main question and consider all pending |
| 10 | amendments?" If the motion carries, the effect is to end the debate on the question |
| 11 | then before the senate and bring the senate to a vote on the main question. Pending |
| 12 | amendments or substitute amendments shall be considered immediately without |
| l3 | debate. A motion to table the proposal to which the main question relates is not in |
| l 4 | order after a motion under this paragraph has been made. |
| l5 | (b) If a motion is made under this paragraph, the question is: "Shall the senate |
| l 6 | vote immediately on the main question without debate?" If the motion carries, the |
| L7 | effect is to end the debate on the question then before the senate and bring the senate |
| L8 | to a vote on the main question. Pending amendments or substitute amendments |
| ,9 | shall be considered adversely disposed of. A motion to table the proposal to which |
| 20 | the main question relates is not in order after a motion under this paragraph has |
| 21 | been made. |
| 22 | SECTION 21. Senate rule 84 is amended to read: |
| | |

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, if directed by the presiding officer, 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.

SECTION 22. Senate rule 85 (1) is amended to read:

Senate Rule 85 (1) General rule. While the senate is under call, business may not be transacted with reference to the matter current question 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. If the presiding officer determines during a call that all members who were absent without leave are present, the presiding officer may transact business on the current question on which the call is made without lifting the call. 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.

Section 23. Senate rule 87 is repealed and recreated to read:

SENATE RULE 87. Call raised when absentees present and business disposed of. The call ends when the sergeant at arms reports that all who were absent without leave are present and the business, pending when the call was made, is disposed of.

SECTION 24. Senate rule 93 (1d) is amended to read:

SENATE RULE 93 (1d) Resolutions offering commendations, congratulations, or condolences, memorializing congress or an individual, or affecting senate or legislative rules or proceedings, and nominations for appointments are declared not

| 9 | (END) |
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| 8 | not be published. |
| 7 | posting on the legislative bulletin board, and a bulletin of committee hearings may |
| 6 | SENATE RULE 93 (2) A notice of a committee meeting is not required other than |
| 5 | SECTION 25. Senate rule 93 (2) is amended to read: |
| 4 | any extraordinary session. All such matters are not subject to sub. (1p). |
| 3 | the governor's call for a special session. All such matters may be considered during |
| 2 | limiting the matters to be considered during special sessions to those enumerated in |
| 1 | to be within the meaning of the term "business" under the constitutional provision |

STATE OF WISCONSIN – LEGISLATIVE REFERENCE BUREAU

LRB

Research (608-266-0341)

Library (608-266-7040)

Legal (608-266-3561)

LRB

| Per | Jeff | (1/9/15) | |
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| OF. | x VIdeo | recording prohibition | |
| | Delete | SECS 9-14 | |
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Champagne, Rick

From:

Renk, Jeff

Sent:

Tuesday, January 13, 2015 10:10 AM

To:

Champagne, Rick

Subject:

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Attachments:

Ballot Notice Sample_2013.doc

Hi Rick,

Yes, go ahead and create the /2 with that change for Senate Rule 25 (4)(am). Attached is a sample of the hearing notice I was telling you about. Also, does the analysis need to be changed for that then? You may also want to check the analysis for the taking photographs or videos....that may need tweaking as it still says "using video devices".

Do you need the jacket back, or can you just send over the new version and we'll put it in the current jacket, which doesn't show the slash.

Thanks.

Jeff

Senate

EXECUTIVE SESSION

Committee on Health and Human Services

| The committee will hold an executive session on the following items at the time specified belowing | ow: |
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Tuesday, February 5, 2013 2:00 PM

Pursuant to Senate Rule 25 (4), the Committee on Health and Human Services will vote by paper ballot on the following items:

Senate Bill 999

Relating to a ballot hearing notice sample.

Assembly Bill 2222

Relating to another ballot hearing notice sample.

A ballot on this motion will be circulated and due in the Committee Chair's office, Room 131 South, State Capitol, by 2:00 P.M. on Wednesday, February 6, 2013.

Senator Leah Vukmir Chair



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State of Misconsin 2015 - 2016 LEGISLATURE





2015 SENATE RESOLUTION



To amend senate rule 8 (4), senate rule 13, senate rule 17 (1) (intro.), senate rule 18 (4), senate rule 25 (4) (am), senate rule 25 (4) (b), senate rule 46 (6) (c), senate rule 56m (2m), senate rule 65 (3), senate rule 73m (1) (b), senate rule 84, senate rule 85 (1), senate rule 93 (1d) and senate rule 93 (2); to repeal and recreate senate rule 87; and to create senate rule 11 (10), senate rule 20 (2) (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 making any video recording in the senate chamber.

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.

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 may 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.

Specifying ranking minority member of committees

The resolution provides that, unless the member is the chairperson, the first-appointed minority member of each standing committee is the ranking minority member of that committee. Current senate rules are silent on identifying the ranking minority member of committees.

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 to change his or her vote if the change does not affect the outcome of the vote and if the proposal, amendment, appointment, or proposed administrative rule has not been reported out of committee. In no case, however, may a member change his or her vote later than 24 hours after receiving notification of the final ballot 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 circulation of the ballot, 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.

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, including ordering the proposal to a third reading, 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 the start of the second succeeding roll call.

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. In addition, the resolution clarifies that, during a call of the senate, if the presiding officer determines that all members who were absent without leave are present, the presiding officer may transact business on the current question on which the call is made without lifting the call.

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.

Resolved by the senate, That:

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| SENATE RULE 8 (4) A member or other person may not, within the senate |
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| 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; or take photographs or make any video recording. |
| SECTION 2. Senate rule 11 (10) is created to read: |

SENATE RULE 11 (10) Except for a person described in sub. (1) or (2), 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. The presiding officer shall establish the time periods before the convening and after the adjourning of a floorperiod when this subsection shall apply.

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 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:

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

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.

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

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SENATE RULE 20 (2) (d) Unless the member is the chairperson, the first-appointed minority member of each standing committee is the ranking minority member of that committee.

SECTION 7. Senate rule 25 (4) (am) is amended to read:

Senate Rule 25 (4) (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. A member may change his or her vote if the change will not affect the outcome of the vote and if the proposal, amendment, appointment, or proposed administrative rule has not been reported out of committee. In no case, however, may a member change his or her vote later than 24 hours after receiving notification of the final ballot vote.

SECTION 8. Senate rule 25 (4) (b) is amended to read:

SENATE RULE 25 (4) (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 as provided under sub. (1) (b) and (d). 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 unintroduced 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

| 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 9. Senate rule 46 (6) (c) is amended to read: |
| 5 | Senate Rule 46 (6) (c) Nonconcurrence (assembly bills and, assembly joint |
| 6 | resolutions, and assembly amendments to senate bills). |
| 7 | SECTION 10. Senate rule 56m (2m) is amended to read: |
| 8 | SENATE RULE 56m (2m) When the point of order concerns a proposal or a |
| 9 | question currently pending on such the proposal, taking the point of order under |
| 10 | advisement removes the proposal or the question currently pending on the proposal |
| 11 | from further consideration, including ordering the proposal to a 3rd reading, until |
| 12 | the presiding officer announces the ruling on the point of order. |
| 13 | SECTION 11. Senate rule 56m (2r) is created to read: |
| 14 | SENATE RULE 56m (2r) When the point of order concerns an amendment, taking |
| 15 | the point of order under advisement removes the amendment from further |
| 16 | consideration until the presiding officer announces the ruling on the point of order. |
| 17 | Any proposal to which such an amendment is made may not be ordered to a 3rd |
| 18 | reading until the presiding officer announces the ruling on the point of order. |
| 19 | SECTION 12. Senate rule 65 (3) is amended to read: |
| 20 | SENATE RULE 65 (3) A motion to remove a proposal from the table, if approved, |
| 21 | has the effect of withdrawing the matter from the committee on senate organization |
| 22 | and placing it on the calendar of the next legislative day. |
| 23 | SECTION 13. Senate rule 73m (1) (b) is amended to read: |
| 24 | SENATE RULE 73m (1) (b) The request is made no later than immediately |

following the close start of the next occurring 2nd succeeding roll call.

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SECTION 14. Senate rule 84 is amended to read:

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, if directed by the presiding officer, 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.

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

Senate Rule 85 (1) General rule. While the senate is under call, business may not be transacted with reference to the matter current question 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. If the presiding officer determines during a call that all members who were absent without leave are present, the presiding officer may transact business on the current question on which the call is made without lifting the call. 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.

SECTION 16. Senate rule 87 is repealed and recreated to read:

SENATE RULE 87. Call raised when absentees present and business disposed of. The call ends when the sergeant at arms reports that all who were absent without leave are present and the business, pending when the call was made, is disposed of.

SECTION 17. Senate rule 93 (1d) is amended to read:

Senate Rule 93 (1d) Resolutions offering commendations, congratulations, or condolences, memorializing congress or an individual, or affecting senate or legislative rules or proceedings, and nominations for appointments 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. All such matters are not subject to sub. (1p).

SECTION 18. Senate rule 93 (2) is amended to read:

SENATE RULE 93 (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.

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2015–2016 DRAFTING INSERT FROM THE LEGISLATIVE REFERENCE BUREAU

 $\begin{array}{c} LRB-0175/2insRC\\ RAC:...:...\end{array}$

Analysis:

the ballot is due as provided in the executive session notice $\mathbf{5-16}$:

the ballot is due as provided in the executive session notice