



State of Wisconsin
2003 - 2004 LEGISLATURE

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**ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2003 ASSEMBLY RESOLUTION 3**

January 30, 2003 – Offered by Representatives FREESE and GARD.

1 **To amend** assembly rule 9 (2) (a), assembly rule 11 (4), assembly rule 11 (9),
2 assembly rule 12, assembly rule 30 (1), assembly rule 31 (7), assembly rule 32
3 (1) (a), assembly rule 39 (1), assembly rule 41 (1), assembly rule 50 (1), assembly
4 rule 56 (1), assembly rule 58 (3), assembly rules 73 (2) (a) and (3) (a), assembly
5 rule 73 (9) and assembly rule 93 (4); and **to create** assembly rule 17d and
6 assembly rule 99; **relating to:** the assembly rules.

7 **Resolved by the assembly, That:**

8 **SECTION 1.** Assembly rule 9 (2) (a) is amended to read:

9 ASSEMBLY RULE 9 (2) (a) The speaker shall determine the total number of
10 members on each committee, unless specified by ~~statute~~, joint rule, or assembly rule,
11 and the allocation of the number between members of the majority and minority
12 party shall be determined by the ~~speaker~~.

13 **SECTION 2.** Assembly rule 11 (4) is amended to read:

1 ASSEMBLY RULE 11 (4) All committee votes shall be taken in the presence of the
2 committee. A member may not be recorded as voting unless the member is present
3 at the committee session when the vote is taken. ~~This subsection does not apply to~~
4 ~~the committee on assembly organization, to the joint committee on legislative~~
5 ~~organization, or to the joint legislative council.~~

6 **SECTION 3.** Assembly rule 11 (9) is amended to read:

7 ASSEMBLY RULE 11 (9) The chairperson shall determine when proposals or other
8 business ~~are~~ is scheduled for public hearing or, subject to rule 17d, executive action,
9 and, subject to rule 17m, when committee actions are reported to the assembly.

10 **SECTION 4.** Assembly rule 12 is amended to read:

11 ASSEMBLY RULE 12. **Committees not to meet during daily session.** Except
12 for conference committees and the committee on rules, a committee may not meet
13 while the assembly is in session.

14 **SECTION 5.** Assembly rule 17d is created to read:

15 ASSEMBLY RULE 17d. **Executive action.** A committee may not vote on a
16 proposal unless the proposal has been introduced, or offered, and made available to
17 the public for at least 24 hours excluding:

18 (1) Saturdays, Sundays, and state holidays specified in section 230.35 (4) (a)
19 of the statutes; and

20 (2) Hours after 5 p.m. or before 8 a.m.

21 **SECTION 6.** Assembly rule 30 (1) is amended to read:

22 ASSEMBLY RULE 30 (1) The call of the roll to record attendance shall be taken
23 in the same manner as a roll call vote. All members whose attendance is recorded
24 as present shall be in their chairs for the call of the roll. A list of those present and

1 absent shall be entered in the journal. A member who arrives late may, with the
2 approval of the assembly, be recorded as present.

3 **SECTION 7.** Assembly rule 31 (7) is amended to read:

4 ASSEMBLY RULE 31 (7) Seventh order. ~~Consideration~~ Making and consideration
5 of motions for reconsideration of passage, indefinite postponement, concurrence, or
6 nonconcurrence.

7 **SECTION 8.** Assembly rule 32 (1) (a) is amended to read:

8 ASSEMBLY RULE 32 (1) (a) ~~Messages~~ Except as otherwise provided in this
9 paragraph, messages from the senate or from the governor may be received and read,
10 and any proposal referenced in the messages that is a senate proposal initially
11 received for consideration of the assembly shall be referred and any other proposals
12 referenced in the messages shall be taken up immediately unless referred by the
13 presiding officer to a standing committee or to the calendar. Any messages from the
14 senate referring to a senate joint resolution memorializing Congress or any branch
15 or officer of the federal government that is received for consideration of the assembly
16 may be read but the senate joint resolution may not be received for consideration.
17 The senate joint resolution shall be transmitted to the senate immediately after the
18 message is read;

19 **SECTION 9.** Assembly rule 39 (1) is amended to read:

20 ASSEMBLY RULE 39 (1) ~~Except as otherwise provided in joint rule 83 (2) and this~~
21 subsection, any member or standing committee may introduce or offer proposals in
22 the assembly on any day of the biennial legislative session. No member or standing
23 committee may offer any assembly joint resolution or resolution memorializing
24 Congress or any branch or officer of the federal government.

25 **SECTION 10.** Assembly rule 41 (1) is amended to read:

1 ASSEMBLY RULE 41 (1) Except as further provided in subs. (2) and (3) and except
2 as otherwise provided in this subsection, any assembly joint resolution or resolution,
3 and any senate joint resolution received by the assembly for consideration, shall
4 receive a reading on each of 2 separate and nonconsecutive legislative days under the
5 appropriate order of business designated in rule 31. Unless otherwise ordered, each
6 reading shall consist of reading the relating clause in the resolution's title or on first
7 reading be as provided in rule 42 (2) or (3). This subsection does not apply to any
8 senate joint resolution that the assembly is prohibited from considering under rule
9 32 (1) (a).

10 **SECTION 11.** Assembly rule 50 (1) is amended to read:

11 ASSEMBLY RULE 50 (1) Each proposal that passes or is adopted after a 3rd
12 reading, and each senate proposal adversely disposed of by the assembly, shall be
13 transmitted, along with a certified report of the assembly's action, to the senate
14 immediately after failure of any motion to reconsider the passage, adoption, or
15 adverse disposition fails, as applicable, or the expiration of the time for making the
16 such a motion expires, together with a certified report of the assembly's action.

17 **SECTION 12.** Assembly rule 56 (1) is amended to read:

18 ASSEMBLY RULE 56 (1) Any member who desires to speak in debate or submit
19 any matter to the assembly shall rise in his or her assigned place and respectfully
20 address the presiding officer. Upon being recognized, the member shall confine his
21 or her remarks to the question before the assembly and shall avoid personalities. A
22 member may be recognized or addressed only by the number of the member's district
23 or by the county or municipality in which the member resides.

24 **SECTION 13.** Assembly rule 58 (3) is amended to read:

1 ASSEMBLY RULE 58 (3) When the orderliness of remarks made by a member is
2 called to order for questioned under sub. (1) based on the alleged use of improper or
3 disorderly language, the member questioning the orderliness, upon the request of
4 the presiding officer, shall give the presiding officer a written statement containing
5 the specific words to which exception has been taken shall be put in writing, thus
6 enabling the presiding officer better to be able to judge whether the words spoken
7 were in violation of the assembly rules.

8 **SECTION 14.** Assembly rules 73 (2) (a) and (3) (a) are amended to read:

9 ASSEMBLY RULE 73 (2) (a) A motion to reconsider any decision, other than
10 passage of or concurrence in a proposal, may only be entered after the question to
11 which it the motion relates has been decided and must be entered either: 1) before
12 the relating clause of the next proposal is read by the clerk, the next order of business
13 is announced by the presiding officer, or other business is begun; or 2) on the ~~13th~~
14 7th order of business on the ~~next roll call~~ 2nd legislative day thereafter.

15 (3) (a) A motion for reconsideration of the vote by which a proposal is passed,
16 adopted, concurred in, indefinitely postponed, rejected, or nonconcurred in may be
17 entered: 1) before the relating clause of the next proposal is read by the clerk, the
18 next order of business is announced by the presiding officer, or other business is
19 begun; or 2) on the ~~13th~~ 7th order of business on the ~~next roll call~~ 2nd legislative day
20 thereafter. Any motion to reconsider such final action shall be taken up immediately
21 if the roll call day on which it is entered is already the 2nd or a later actual day
22 following the vote constituting final action on the proposal, but consideration of any
23 other motion for reconsideration of such final action, entered on the roll call day
24 following the day on which the final action was taken, shall be laid over and placed

1 on the calendar for the first legislative day that occurs at least 2 calendar days after
2 the decision was made.

3 **SECTION 15.** Assembly rule 73 (9) is amended to read:

4 ASSEMBLY RULE 73 (9) When a motion to reconsider has been entered to return
5 a proposal to the amendable stage, ~~the maker of the motion~~ while the motion is
6 pending, any member may offer ~~one new amendment~~ new amendments to that
7 proposal, ~~which~~ before the vote on the motion to reconsider. Any such new
8 amendments shall be provided to the members.

9 **SECTION 16.** Assembly rule 93 (4) is amended to read:

10 ASSEMBLY RULE 93 (4) All proposals shall be referred to ~~a~~ the day's calendar
11 and may be taken up immediately. A calendar need not be provided.

12 **SECTION 17.** Assembly rule 99 is created to read:

13 ASSEMBLY RULE 99. **Fiscal estimates.** (1) The speaker or presiding officer may
14 request from the legislative fiscal bureau an original fiscal estimate on a bill if the
15 speaker or presiding officer believes that a fiscal estimate on the bill will not be
16 completed by the state agency assigned to prepare the fiscal estimate before the bill
17 receives a public hearing, is voted on by an assembly standing committee, or is
18 considered by the assembly.

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

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

7

(END)