



2005 SENATE RESOLUTION 2

January 21, 2005 – Introduced by Senator A. LASEE. Referred to Committee on Senate Organization.

1 **To repeal** senate rule 4 (2), senate rule 8 (5), senate rule 26 (2), senate rule 27 (2)
2 (a) and (b), senate rule 47 (2) and (3), senate rule 52, senate rule 78, senate rule
3 94 (1) and (2) and senate rule 99 (58); **to renumber** senate rule 4 (1) (intro.) and
4 senate rule 70; **to renumber and amend** senate rule 5 (4), senate rule 25 (1),
5 senate rule 26 (1), senate rule 27 (2) (intro.) and senate rule 50 (6) (b); **to amend**
6 senate rule 1m (title), senate rule 2 (3), senate rule 5 (title), senate rule 5 (3),
7 senate rule 6 (title), senate rule 7 (4), senate rule 8 (4), senate rule 11 (title),
8 senate rule 18 (1), senate rule 18 (2), senate rule 18 (3), senate rule 20 (7), senate
9 rule 22 (1), senate rule 24, senate rule 25 (2), senate rule 27 (1), senate rule 27
10 (3), senate rule 27 (4) (b), senate rule 32 (1), senate rule 32 (2), senate rule 36
11 (1), senate rule 36 (2) (a), senate rule 36 (2) (b), senate rule 37 (1), senate rule
12 40, senate rule 41 (1) (b), senate rule 41 (1) (e), senate rule 46 (1) (a), senate rule
13 46 (1) (b), senate rule 46 (2) (b), senate rule 46 (2) (c), senate rule 46 (2) (d),
14 senate rule 50 (6) (a), senate rule 66, senate rule 77 (title), senate rule 77 (1),
15 senate rule 77 (3), senate rule 79, senate rule 80, senate rule 88 (2), senate rule

1 89, senate rule 93 (title), senate rule 93 (intro.), senate rule 93 (1), senate rule
2 93 (1d), senate rule 93 (1p), senate rule 93 (2), senate rule 98 (3) and senate rule
3 99 (27m); and **to create** senate rule 1m (3), senate rule 5 (4) (b), senate rule 6
4 (3), senate rule 11 (7), senate rule 17 (5), senate rule 25 (1) (b), senate rule 25
5 (1) (d), senate rule 37 (4), senate rule 38 (3), senate rule 46 (2) (am), senate rule
6 46 (6), senate rule 50 (6) (b) 1., 2., 3. and 4, senate rule 70 (2), senate rule 70 (3)
7 and senate rule 73m; **relating to:** the senate rules.

Analysis by the Legislative Reference Bureau

This resolution makes the following changes to the senate rules, in addition to other technical changes:

Conduct in the senate chamber

Current rules prohibit any person, including a senator, from reading newspapers or consuming food, beverages, or tobacco products within the bar of the senate. The resolution modifies the rules to prohibit any person, including a senator, from reading newspapers, periodicals, magazines, books, or similar materials, unless the publication is relevant to the debate. The resolution also prohibits any person, including a senator, from consuming food, beverages, or tobacco products in the senate chamber.

Senate officers and senators

Currently, the rules specify that every officer of the senate is subordinate to the Committee on Senate Organization and, in all that relates to the discharge of an officer's duties, is under the supervision of the Committee on Senate Organization. The resolution provides that all senators are subordinate to the Committee on Senate Organization for staffing and budget purposes related to the operation of all senate offices.

Currently, under section 10, article IV of the state constitution and joint rule 13, neither house of the legislature may adjourn for more than 3 consecutive days during a legislative session without the consent of the other house. Under the current senate rules, the chief clerk may preside over the senate sitting in session if the president, president pro tempore, majority leader, and assistant majority leader are absent or unable to preside. The resolution also provides that, in order to comply with section 10, article IV of the state constitution and joint rule 13, the chief clerk may preside over the senate sitting in session, but no business may be transacted during the session without the consent of the majority leader and the minority leader.

This resolution also provides that the chief clerk shall supervise the sergeant at arms and determine the compensation of the sergeant at arms.

Cosponsorship

The resolution provides that any senator wishing to have his or her name added or removed as a coauthor or cosponsor of a proposal or amendment must provide the chief clerk with a written request to be added or removed as a coauthor or cosponsor.

Recording proceedings

The resolution provides that no persons other than members of the chief clerk's staff, members of the staff of the sergeant at arms, members of a senator's staff, and accredited correspondents of the news media may engage in any audio or video recording of the proceedings of the senate or any committee without permission of the Committee on Senate Organization.

Temporary replacement of committee members

Currently, the rules provide that if a member of the Committee on Senate Organization is "disabled" and unable to serve on the committee, the senate may select a temporary replacement from among the senators of the same party affiliation. The resolution modifies the rule so that if a member of the Committee on Senate Organization is unable to serve on the committee for any reason, regardless of whether the member is "disabled," the senate may select a temporary replacement from among the senators of the same party affiliation.

Meeting notice; considering unintroduced legislation

The resolution provides that, generally, public notice of every committee meeting must be posted to the legislature's bulletin board at least 24 hours before the meeting begins, unless the Committee on Senate Organization determines that for good cause such a notice is impossible or impractical, but in no case may notice be provided less than two hours in advance of a meeting. If the meeting is cancelled on the date of the meeting, the chairperson must also post a cancellation notice in a conspicuous location near the entrance to the meeting room.

The resolution also provides that if unIntroduced legislation will be considered at the meeting, the notice must indicate the draft number assigned to the legislation by the Legislative Reference Bureau and the relating clause of the legislation. In addition, the chairperson must provide a copy of the draft legislation to the chief clerk before publishing the notice. The notice must also indicate that copies of the draft legislation are available at the chief clerk's office. The chief clerk must distribute copies of the draft legislation to any person who requests such copies.

The resolution specifies, however, that no notice is required for any meeting of the Committee on Senate Organization that is called solely for the purpose of scheduling business before the senate or adopting resolutions of which the sole purpose is scheduling business before the senate or assembly.

Committee action

Currently, the rules provide that any amendment or substitute amendment that is recommended by a committee for rejection may not be reported to the senate and that such amendment may, by motion, be revived by the vote of the majority of the current membership while the proposal is still in the amendable stage. The resolution modifies the rules so that, generally, any amendment or substitute amendment submitted to a standing committee for the committee's consideration

may be reported out of committee only if the committee recommends adoption. An amendment or substitute amendment that is not reported out of committee may, by motion, be revived by the vote of the majority of the members present while the proposal is still in the amendable stage.

The resolution provides that the Committee on Senate Organization may, with the consent of the senate cochairperson of the Joint Committee on Finance, withdraw a bill from the Joint Committee on Finance and place the bill on the calendar. In addition, the resolution authorizes the president, with the consent of the chairperson of a standing committee, to withdraw a proposal or appointment from the standing committee to which the proposal or appointment is referred and refer it to another standing committee.

Dividing a question; vetoes

Under the assembly and senate rules, certain questions before either house may be divided for separate consideration by the members of that house. The assembly rules allow certain questions related to a bill that the governor has partially vetoed to be divided. The senate rules do not have a similar provision. The resolution allows certain questions related to a bill that the governor has partially vetoed to be divided for separate consideration by the senate.

Missed roll call votes

The resolution allows a senator who does not vote during a roll call on a proposal to request unanimous consent to have his or her vote included in the roll call 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 roll call, and the senator's vote, if included, does not change the result of the roll call. If a senator may not make such a request under the rules, or if another senator objects to the request, the senator may request unanimous consent to have the journal reflect how the senator would have voted.

Special session business

Currently the rules prohibit resolutions offering commendations, congratulations, or condolences, memorializing Congress or an individual, or affecting senate or legislative rules or proceedings from being considered during a special session. The resolution allows the senate to consider such matters during an extraordinary session.

Final disposition of proposals and amendments

The resolution provides that, unless reconsidered or included in an action authorizing an extraordinary session, a proposal or an amendment to a proposal, is adversely and finally disposed of for the legislature's biennial session by any of the following: 1) indefinite postponement; 2) rejection; 3) nonconcurrence; 4) failure to be ordered to a third reading; 5) failure of passage; 6) failure of concurrence; and 7) failure to pass notwithstanding the objections of the governor.

Germaneness

The senate rules currently specify that the following substitute amendments and amendments are not germane: 1) a substitute amendment or amendment that is identical in effect to one previously offered and disposed of as another substitute

amendment or amendment to the same proposal; 2) a substitute amendment or amendment to a proposal that relates to a subject that is different from the subject of that proposal; 3) a substitute amendment or amendment to a proposal that is intended to accomplish a purpose that is different from the purpose of that proposal; 4) a substitute amendment or amendment to a proposal that negates that proposal entirely; and 5) a substitute amendment or amendment to a proposal that substitutes another proposal pending before the senate.

The resolution modifies the rules so that the following substitute amendments and amendments are not germane: 1) a substitute amendment or amendment that is identical in effect to one previously offered to the same proposal and disposed of; 2) a substitute amendment or amendment to a proposal that is irrelevant to the subject matter of the proposal, inappropriate to the subject matter of the proposal, or not in a natural and logical sequence to the subject matter of the proposal; 3) a substitute amendment or amendment to a proposal that negates that proposal entirely; 4) a substitute amendment or amendment to a proposal that substitutes another proposal pending before the senate; and 5) a substitute amendment or amendment to a proposal that substantially expands the scope of the proposal.

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

2 **SECTION 1.** Senate rule 1m (title) is amended to read:

3 SENATE RULE 1m (title) **Presiding officer; ~~officers subordinate to~~ and**
4 **committee on senate organization.**

5 **SECTION 2.** Senate rule 1m (3) is created to read:

6 SENATE RULE 1m (3) For staffing and budget purposes related to the operation
7 of all senate offices, all senators are subordinate to the committee on senate
8 organization.

9 **SECTION 3.** Senate rule 2 (3) is amended to read:

10 Senate Rule 2 (3) The presiding officer may call any member to the chair to
11 temporarily perform all of the duties enumerated under rule 4, but the substitution
12 does not extend beyond an adjournment or the return of the president.

13 **SECTION 4.** Senate rule 4 (1) (intro.) is renumbered senate rule 4 (intro.).

14 **SECTION 5.** Senate rule 4 (2) is repealed.

15 **SECTION 6.** Senate rule 5 (title) is amended to read:

1 SENATE RULE 5 (title) ~~Election and duties of chief~~ Chief clerk.

2 **SECTION 7.** Senate rule 5 (3) is amended to read:

3 SENATE RULE 5 (3) The chief clerk is responsible for all official acts of the
4 employees assigned to that office, and may designate one of those employees as
5 assistant chief clerk, who has general supervision under the direction of the chief
6 clerk and in the temporary absence of the chief clerk has all of the powers and duties
7 of the chief clerk. The assistant chief clerk shall take the oath of office as provided
8 under joint rule 81 (1) (a). If the chief clerk is separated by death, resignation, or
9 removal from office, the assistant chief clerk may exercise all of the powers and shall
10 carry out all of the duties of the chief clerk until a chief clerk is elected.

11 **SECTION 8.** Senate rule 5 (4) is renumbered senate rule 5 (4) (a) and amended
12 to read:

13 SENATE RULE 5 (4) (a) ~~On the day of convening of the next legislature as~~
14 ~~established under section 13.02 (1) of the statutes, when~~ When the president,
15 president pro tempore, majority leader, and assistant majority leader are absent or
16 unable to preside over the senate sitting in session and the senate does not elect a
17 substitute president under rule 2 (2), the chief clerk shall perform all of the duties
18 enumerated under rule 4.

19 **SECTION 9.** Senate rule 5 (4) (b) is created to read:

20 SENATE RULE 5 (4) (b) In order to comply with joint rule 13 and section 10 of
21 article IV of the constitution, the chief clerk may perform all of the duties
22 enumerated under rule 4, except that no business may be transacted in any session
23 convened under this paragraph without the consent of the senate majority leader
24 and the senate minority leader.

25 **SECTION 10.** Senate rule 6 (title) is amended to read:

1 SENATE RULE 6 (title) ~~Election and duties of sergeant~~ Sergeant at arms.

2 **SECTION 11.** Senate rule 6 (3) is created to read:

3 SENATE RULE 6 (3) The sergeant at arms is under the supervision of the chief
4 clerk and the compensation of the sergeant at arms shall be determined by the chief
5 clerk.

6 **SECTION 12.** Senate rule 7 (4) is amended to read:

7 SENATE RULE 7 (4) On appeal being taken, the question is “Shall the decision of
8 the presiding officer stand as the judgment of the senate?”, which question, and the
9 action thereon, shall be entered on the journal. The vote is taken by ~~ayes and noes~~
10 roll call vote. A tie vote sustains the ruling of the presiding officer.

11 **SECTION 13.** Senate rule 8 (4) is amended to read:

12 SENATE RULE 8 (4) A member or other person may not, within the ~~bar of the~~
13 senate chamber, read newspapers, periodicals, magazines, books, or similar
14 materials, unless the publication is relevant to the debate on the senate floor, or
15 consume food, beverages, or tobacco products.

16 **SECTION 14.** Senate rule 8 (5) is repealed.

17 **SECTION 15.** Senate rule 11 (title) is amended to read:

18 SENATE RULE 11 (title) **Who may be admitted to the floor; recording**
19 **proceedings.**

20 **SECTION 16.** Senate rule 11 (7) is created to read:

21 SENATE RULE 11 (7) No persons other than members of the chief clerk’s staff,
22 members of the staff of the sergeant at arms, members of a senator’s staff, and
23 accredited correspondents of the news media may engage in any audio or video
24 recording of the proceedings of the senate or any committee without permission of
25 the committee on senate organization.

1 **SECTION 17.** Senate rule 17 (5) is created to read:

2 SENATE RULE 17 (5) Any member wishing to have his or her name added or
3 removed as a coauthor or cosponsor of a proposal or amendment shall provide the
4 chief clerk with a written request to do so prior to the proposal being messaged. The
5 chief clerk shall promptly record the request in the journal and include the request
6 in the official history of the proposal. An oral request during the proceedings of the
7 senate to be made, or to be removed as, a coauthor or cosponsor of a proposal or
8 amendment is not in order.

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

10 SENATE RULE 18 (1) All proposals, appointments, or other business, referred to
11 a committee and reported by it to the senate or withdrawn from it by the senate, all
12 proposals or amendments received from the assembly for senate concurrence, and all
13 reports from conference committees and veto messages received by the senate, shall
14 be placed in the committee on senate organization. Any such business deposited with
15 the chief clerk on a day when the senate does not meet may be placed in the
16 committee on senate organization immediately, ~~but shall be formally received by the~~
17 ~~senate on its next meeting day.~~ The committee on senate organization shall establish
18 a calendar, ~~grouping together proposals, appointments, or other business according~~
19 ~~to similar subjects and in an appropriate order, and in such numbers as to constitute~~
20 ~~a workable and up-to-date calendar schedule~~ at least 18 hours prior to the
21 commence of the session to which the calendar applies, but the distributed calendar,
22 as provided under sub. (2), may not be changed within such 18-hour period. The
23 committee on senate organization shall place a proposal, appointment, or other
24 business on the calendar when directed to do so by a majority vote of the senate.

25 **SECTION 19.** Senate rule 18 (2) is amended to read:

1 SENATE RULE 18 (2) The sergeant at arms shall distribute a copy of the calendar
2 to all members before the calendar is acted upon. ~~The chairperson of the committee~~
3 ~~on senate organization shall provide at least 18 hours' notice of other matters to be~~
4 ~~taken up on the next session day, but the distributed calendar may not be changed~~
5 ~~within such 18-hour period.~~

6 **SECTION 20.** Senate rule 18 (3) is amended to read:

7 SENATE RULE 18 (3) ~~Except as provided in sub. (2), the~~ The distributed calendar
8 shall show the business scheduled to be taken up on the current day, organized
9 according to the orders of business established by rule 17 (1). For proposals on 2nd
10 reading, the calendar shall show all pending committee reports.

11 **SECTION 21.** Senate rule 20 (7) is amended to read:

12 SENATE RULE 20 (7) ~~Whenever~~ If a member of the committee on senate
13 organization is ~~disabled and~~ unable to serve, the senate may select a temporary
14 replacement from among those senators of the same party affiliation. The
15 replacement terminates upon the return of the ~~disabled member~~ who was unable to
16 serve.

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

18 SENATE RULE 22 (1) Whenever the governor or the state superintendent of
19 public instruction submits to the senate a nomination for an appointment as
20 required by law, the president shall refer the nomination to the standing committee
21 that the president deems to be the most appropriate committee to pass upon the
22 qualifications of the candidate. The committee shall report its findings and
23 recommendations to the senate in writing. Nominations by the governor and the
24 state superintendent of public instruction may be considered, and the persons so

1 nominated may with the advice and consent of the senate be appointed, ~~in special as~~
2 ~~well as in regular sessions~~ during any session of the senate.

3 **SECTION 23.** Senate rule 24 is amended to read:

4 SENATE RULE 24. **Committee quorum; subcommittees.** A majority of any
5 committee constitutes a quorum for the transaction of business. ~~Solely for~~ For the
6 purpose of determining a quorum of a committee necessary to ~~hold a public hearing~~
7 transact business, and with the consent of the committee chairperson, a member who
8 is connected to ~~the hearing by means of a 2-way, audiovisual transmission~~ a meeting
9 of the committee via teleconference is considered present. Subcommittees may be
10 appointed to take charge of any part of the committee's business and to report to the
11 committee. Motions to reconsider may be made in committee, before the papers are
12 reported to the senate. Rereference gives the committee full power to act without
13 reconsidering its former action.

14 **SECTION 24.** Senate rule 25 (1) is renumbered senate rule 25 (1) (a) amended
15 to read:

16 SENATE RULE 25 (1) (a) A chairperson who determines to hold a hearing shall
17 schedule the hearing as early in the session as practicable. The

18 (c) The public notice under par. (b) shall be posted on the bulletin board of each
19 house. The notice shall indicate the day, hour, and place of hearing before any
20 committee shall be posted on the bulletin board of each house, the meeting and such
21 notice shall state the number, author, and relating clause of the each proposal to be
22 considered. If unintroduced legislation will be considered at the meeting, the notice
23 shall indicate the draft number assigned to the legislation by the legislative
24 reference bureau and the relating clause of the legislation, and shall indicate that
25 copies of the draft legislation are available at the chief clerk's office. The chairperson

1 shall provide a copy of the draft legislation to the chief clerk before publishing the
2 notice. The chief clerk shall distribute copies of the draft legislation to any person
3 who requests such copies. Whenever a scheduled hearing meeting is canceled, the
4 chairperson shall immediately notify the chief clerk and post cancellation notices on
5 the bulletin boards of each house.

6 **SECTION 25.** Senate rule 25 (1) (b) is created to read:

7 SENATE RULE 25 (1) (b) Except as provided in par. (d), public notice of every
8 meeting of a committee shall be given at least 24 hours before the commencement
9 of the meeting, unless the committee on senate organization determines that for good
10 cause such notice is impossible or impractical. In no case may notice be provided less
11 than 2 hours in advance of a meeting.

12 **SECTION 26.** Senate rule 25 (1) (d) is created to read:

13 SENATE RULE 25 (1) (d) Paragraph (b) does not apply to any meeting of the
14 committee on senate organization that is called solely for the purpose of scheduling
15 business before the senate or adopting resolutions of which the sole purpose is
16 scheduling business before the senate or assembly.

17 **SECTION 27.** Senate rule 25 (2) is amended to read:

18 SENATE RULE 25 (2) ~~Whenever~~ Except as provided under rules 41 (1) (e) and 46
19 (2) (c), a proposal or other matter that has been referred to committee, ~~the proposal~~
20 ~~or other matter~~ is within the sole jurisdiction of the majority of the committee. A
21 directive with respect to the committee's action thereon, other than a motion to
22 withdraw from the committee, is not in order.

23 **SECTION 28.** Senate rule 26 (1) is renumbered senate rule 26 and amended to
24 read:

1 SENATE RULE 26. **Schedule of committee activities.** On or before Monday
 2 noon of each week the chairperson of each senate committee shall file with the chief
 3 clerk a list of the public hearings before that committee which will be held during the
 4 following week. The list shall be reproduced in full in the weekly schedule of
 5 committee activities. The chairperson of any senate committee may file notice of
 6 hearing on or before Monday noon of the 2nd week before the week in which the
 7 public hearing is scheduled so as to post advance notice of the hearing.

8 **SECTION 29.** Senate rule 26 (2) is repealed.

9 **SECTION 30.** Senate rule 27 (1) is amended to read:

10 SENATE RULE 27 (1) The chairperson of the committee to which any proposal is
 11 referred shall report, ~~in concise form~~ the format specified by the chief clerk, the action
 12 of the committee and the date thereof, and shall authenticate the same by personal
 13 signature, ~~for example:~~

14 ~~The committee on reports and recommends:~~

15 ~~Senate Bill 24~~

16 ~~An Act (relating clause)~~

17 ~~Passage: Ayes (3), Senators , , ; Noes (1), Senator~~

18 ~~; Absent or not voting (1), Senator~~

19 ~~Senate Bill 26~~

20 ~~An Act (relating clause)~~

21 ~~Adoption of Senate Amendment 1: Ayes (5), Senators , ,~~

22 ~~, , ; Noes (0); Absent or not voting (0).~~

23 ~~Passage as amended: Ayes (4), Senators , , ;~~

24 ~~Noes (1), Senator ; Absent or not voting (0).~~

25 ~~Senate Bill 28~~

- 1 ~~An Act (relating clause)~~
- 2 ~~Adoption of Senate Substitute Amendment 1: Ayes (3), Senators,~~
- 3 ~~....., ; Noes (2), Senators, ; Absent or not voting (0).~~
- 4 ~~Passage as amended: Ayes (2), Senators, ; Noes (2), Senators~~
- 5 ~~....., ; Absent or not voting (1), Senator Reported without~~
- 6 ~~recommendation.~~
- 7 ~~Senate Bill 30~~
- 8 ~~An Act (relating clause)~~
- 9 ~~Indefinite postponement: Ayes (5), Senators,,,,~~
- 10 ~~..... ; Noes (0); Absent or not voting (0).~~
- 11 ~~Senate Bill (LRB- /~~
- 12 ~~An Act (relating clause)~~
- 13 ~~Introduction: Ayes (4), Senators,,, ; Noes (1),~~
- 14 ~~Senator ; Absent or not voting (0).~~
- 15 ~~Assembly Bill 32~~
- 16 ~~An Act (relating clause)~~
- 17 ~~Concurrence: Ayes (4), Senators,,, ; Noes (0);~~
- 18 ~~Absent or not voting (1), Senator~~
- 19 ~~Assembly Bill 34~~
- 20 ~~An Act (relating clause)~~
- 21 ~~Nonconcurrence: Ayes (3), Senators,, ; Noes (0); Absent~~
- 22 ~~or not voting (2), Senators and~~
- 23 ~~Senate Resolution 10~~
- 24 ~~A resolution relating to, etc.~~

1 Adoption: Ayes (3), Senators , , ; Noes (1), Senator
2; ~~Absent or not voting (1), Senator~~

3 Senate Joint Resolution 50

4 A joint resolution relating to, etc.

5 Indefinite postponement: Ayes (5), Senators , , ,
6 ; Noes (0); ~~Absent or not voting (0).~~

7 Chairperson.

8 **SECTION 31.** Senate rule 27 (2) (intro.) is renumbered senate rule 27 (2) and
9 amended to read:

10 SENATE RULE 27 (2) Each committee to which a proposed administrative rule
11 is referred under rule 4 (10) shall submit a report within the review period specified
12 in section 227.19 (4) (b) of the statutes in the form specified in this rule, authenticated
13 by the personal signature of the chairperson or cochairpersons. Whenever a
14 committee schedules a public hearing or a meeting with an agency representative
15 concerning a proposed rule, or whenever modifications to a proposed rule are agreed
16 to be made or received, the committee shall submit an interim report. The form of
17 the report is as follows: shall be in the format specified by the chief clerk.

18 **SECTION 32.** Senate rule 27 (2) (a) and (b) are repealed.

19 **SECTION 33.** Senate rule 27 (3) is amended to read:

20 SENATE RULE 27 (3) Any amendment or substitute amendment, ~~recommended~~
21 ~~by the committee for rejection, may not be reported to the senate. Any such~~
22 submitted to a standing committee for the committee's consideration shall be
23 reported out of committee only if adoption is recommended or if sub. (4) applies. An
24 amendment or substitute amendment not reported out of committee may, upon

1 motion, be revived by the vote of the majority of the ~~current membership~~ members
2 present while the proposal is still in the amendable stage.

3 **SECTION 34.** Senate rule 27 (4) (b) is amended to read:

4 SENATE RULE 27 (4) (b) Notwithstanding par. (a), the chief clerk shall record in
5 the journal that a ~~proposed~~ proposal is reported without recommendation whenever
6 the proposal is withdrawn from committee under rule 18 or 41 (1) (d).

7 **SECTION 35.** Senate rule 32 (1) is amended to read:

8 SENATE RULE 32 (1) When first considered and thereafter each time that a
9 proposal is considered after business relating to another subject has intervened, it
10 shall be identified in the journal by number and relating clause. Thereafter all
11 reference to the proposal or petition either in the journal or in messages must be by
12 number only, except in the journal where the ayes and noes are entered. ~~The chief~~
13 ~~clerk shall read the relating clauses except when the senate directs otherwise, except~~
14 ~~that in messages of approval of bills by the governor the chief clerk shall read the bill~~
15 ~~number only unless a member requests the relating clause to be read.~~

16 **SECTION 36.** Senate rule 32 (2) is amended to read:

17 SENATE RULE 32 (2) ~~No later than one-half hour following the adjournment of~~
18 ~~each legislative day, members~~ Members may submit to the chief clerk in writing a
19 listing of visitors from their districts who witnessed a part of the day's meeting. The
20 list, together with the record of the guests introduced on that legislative day under
21 rule 17 (4), shall be entered at the end of the day's journal.

22 **SECTION 37.** Senate rule 36 (1) is amended to read:

23 SENATE RULE 36 (1) On the first reading, every bill requiring 3 readings under
24 rule 35 and all resolutions not privileged by rule 69 shall be referred to the
25 appropriate committee. The president shall determine the appropriate committee

1 under rule 46 and the ~~chief clerk shall announce~~ referral shall be printed in the
2 journal under the proper order of business. This rule applies to proposals originating
3 in either house.

4 **SECTION 38.** Senate rule 36 (2) (a) is amended to read:

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

11 **SECTION 39.** Senate rule 36 (2) (b) is amended to read:

12 SENATE RULE 36 (2) (b) Only one such reference is required under this rule and
13 the adoption of an amendment does not require rereference, but rereference may be
14 ordered by the senate at any time before passage or concurrence or as provided under
15 rules 41 (1) (e) and 46 (2) (c).

16 **SECTION 40.** Senate rule 37 (1) is amended to read:

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

20 **SECTION 41.** Senate rule 37 (4) is created to read:

21 SENATE RULE 37 (4) Any proposal ordered to a 3rd reading is considered
22 engrossed.

23 **SECTION 42.** Senate rule 38 (3) is created to read:

24 SENATE RULE 38 (3) A 3rd reading shall be by relating clause.

25 **SECTION 43.** Senate rule 40 is amended to read:

1 **SENATE RULE 40. Proposal amended on 3rd reading to be reengrossed.**

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

8 **SECTION 44.** Senate rule 41 (1) (b) is amended to read:

9 SENATE RULE 41 (1) (b) A motion to withdraw and rerefer or to withdraw is in
10 order, ~~but the question is divisible, and~~ except that if the senate having has once
11 refused to withdraw and rerefer or to withdraw a proposal or other matter from
12 committee, any subsequent motion to withdraw and rerefer or to withdraw requires
13 a suspension of the rules.

14 **SECTION 45.** Senate rule 41 (1) (e) is amended to read:

15 SENATE RULE 41 (1) (e) ~~During any interim period between regularly scheduled~~
16 ~~floor periods, if~~ If the committee on senate organization receives a standing
17 committee's report on a bill that by statute requires review by the joint committee
18 on finance before being passed, the committee on senate organization may, ~~on any~~
19 ~~day of the interim,~~ rerefer that bill to the joint committee on finance ~~and, in that case,~~
20 ~~shall direct the~~ The chief clerk to shall promptly record the rereferral ~~by an~~
21 ~~appropriate entry in the journal. The committee on senate organization may, with~~
22 the consent of the senate cochairperson of the joint committee on finance, withdraw
23 a bill from the joint committee on finance and place the bill on the calendar.
24 Withdrawal under this rule satisfies section 13.093 (1) of the statutes.

25 **SECTION 46.** Senate rule 46 (1) (a) is amended to read:

1 SENATE RULE 46 (1) (a) Proposals, amendments, petitions, reports,
2 communications, or other documents that may properly come before the senate shall
3 be presented by a member thereof to the chief clerk, or a staff member designated by
4 the chief clerk, at anytime, except as otherwise provided in senate rule 93 (1p) and
5 joint rule 83 (2). A brief statement of the contents thereof must appear thereon,
6 together with the name of the members introducing or offering the same. ~~If a~~
7 ~~document is to be reproduced, the~~ The chief clerk shall number the document all
8 proposals, amendments, and petitions.

9 **SECTION 47.** Senate rule 46 (1) (b) is amended to read:

10 SENATE RULE 46 (1) (b) ~~The chief clerk shall announce promptly record each~~
11 ~~document or proposal introduced or offered under par. (a), and each proposal received~~
12 ~~from the assembly, on the next session day under the appropriate order of business.~~
13 ~~The document or proposal shall be recorded in the first journal published after the~~
14 ~~document or proposal is received by the chief clerk.~~

15 **SECTION 48.** Senate rule 46 (2) (am) is created to read:

16 SENATE RULE 46 (2) (am) The president shall refer every notice and report
17 concerning a proposed administrative rule received by the presiding officer under
18 section 227.19 of the statutes to the appropriate standing committee of the senate
19 within 7 working days following receipt and provide notice to that committee
20 whenever the president is informed that a proposed rule is being withdrawn. The
21 president shall refer any report received from a standing committee that objects to
22 a proposed rule to the joint committee for review of administrative rules.

23 **SECTION 49.** Senate rule 46 (2) (b) is amended to read:

24 SENATE RULE 46 (2) (b) Within 3 working days after the time of initial referral
25 by the president under ~~rule 4 (2) par. (am),~~ par. (am), a proposed rule may, with consent of the

1 chairperson of the standing committee, be withdrawn from the standing committee
2 to which it is referred and rereferred to another standing committee. Such action
3 does not extend the standing committee review period. Rereferral may be made at
4 any time.

5 **SECTION 50.** Senate rule 46 (2) (c) is amended to read:

6 SENATE RULE 46 (2) (c) ~~Within 5 working days after~~ After the time of initial
7 referral by the president under rule 36 (2), ~~a proposal or appointment~~ the president
8 may, with the consent of the chairperson of the standing committee, ~~be withdrawn~~
9 withdraw a proposal or appointment from the standing committee to which it is
10 referred and ~~rereferred~~ rerefer it to another standing committee, except that such
11 a withdrawal may not take effect during the 7 days preceding any scheduled
12 committee hearing or the 7 days following the date on which a committee hearing is
13 held. Rereferral under this rule may be made at any time, but may not be used to
14 satisfy section 13.093 (1) of the statutes.

15 **SECTION 51.** Senate rule 46 (2) (d) is amended to read:

16 SENATE RULE 46 (2) (d) The chief clerk shall ~~announce each referral, or~~
17 ~~withdrawal and rereferral, provided for under the senate rules on the next session~~
18 ~~day under the appropriate order of business. Each referral, or withdrawal and~~
19 ~~rereferral, shall be recorded~~ promptly record each referral, or withdrawal and
20 rereferral, in the first journal published ~~after the referral, or withdrawal and~~
21 ~~rereferral, occurs~~.

22 **SECTION 52.** Senate rule 46 (6) is created to read:

23 SENATE RULE 46 (6) Unless reconsidered under rule 67, a proposal, or an
24 amendment as it affects a proposal, is adversely and finally disposed of for the
25 biennial session of the legislature by any of the following results:

1 (a) Indefinite postponement (senate bills).

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

4 (c) Nonconcurrence (assembly bills and assembly joint resolutions).

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

6 (e) Failure of passage (senate bills).

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

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

9 **SECTION 53.** Senate rule 47 (2) and (3) are repealed.

10 **SECTION 54.** Senate rule 50 (6) (a) is amended to read:

11 SENATE RULE 50 (6) (a) A substitute amendment or amendment that is identical
12 in effect to one previously offered to the same proposal and disposed of as ~~another~~
13 ~~substitute amendment or amendment to the same proposal.~~

14 **SECTION 55.** Senate rule 50 (6) (b) is renumbered senate rule 50 (6) (b) (intro.)
15 and amended to read:

16 SENATE RULE 50 (6) (b) (intro.) A substitute amendment or amendment to a
17 proposal that ~~relates to a subject that is different from the subject of that proposal,~~
18 ~~that is intended to accomplish a purpose that is different from the purpose of that~~
19 ~~proposal, is any of the following:~~

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

22 **SECTION 56.** Senate rule 50 (6) (b) 1., 2., 3. and 4 are created to read:

23 SENATE RULE 50 (6) (b) 1. Irrelevant to the subject matter of the proposal.

24 2. Inappropriate to the subject matter of the proposal.

25 3. Not in a natural and logical sequence to the subject matter of the proposal.

1 4. Substantially expands the scope of the proposal.

2 **SECTION 57.** Senate rule 52 is repealed.

3 **SECTION 58.** Senate rule 66 is amended to read:

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

10 **SECTION 59.** Senate rule 70 is renumbered senate rule 70 (1).

11 **SECTION 60.** Senate rule 70 (2) is created to read:

12 SENATE RULE 70 (2) A bill vetoed in its entirety by the governor may not be
13 divided. When a bill has been vetoed in part and the senate considers a specific item
14 for passage notwithstanding the objections of the governor, any member may request
15 that the item be divided. The item may be divided on request by a member if:

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

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

22 **SECTION 61.** Senate rule 70 (3) is created to read:

23 SENATE RULE 70 (3) When a bill has been vetoed in part the committee on senate
24 organization may, by a resolution offered under rule 17 (2), propose to schedule a
25 specific part as a special order. When appropriate, the resolution may divide the part

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

8 **SECTION 62.** Senate rule 73m is created to read:

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

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

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

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

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

21 **SECTION 63.** Senate rule 77 (title) is amended to read:

22 SENATE RULE 77 (title) ~~Current or previous question~~ **Voting immediately;**
23 **time limit on debate.**

24 **SECTION 64.** Senate rule 77 (1) is amended to read:

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

12 **SECTION 65.** Senate rule 77 (3) is amended to read:

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

24 **SECTION 66.** Senate rule 78 is repealed.

25 **SECTION 67.** Senate rule 79 is amended to read:

1 SENATE RULE 79. **Main But one motion to reconsider in order; main**
2 **question may remain before the senate.** ~~When, on taking the previous question,~~
3 ~~the senate decides that the main question shall not now be put~~ After a motion under
4 rule 77 (1) or (3) has carried, only one motion to reconsider is in order. If the motion
5 to reconsider carries, the main question shall remain as the question before the
6 senate, in the same stage of proceedings as before the ~~previous question was moved~~
7 motion under rule 77 (1) or (3) was made.

8 **SECTION 68.** Senate rule 80 is amended to read:

9 SENATE RULE 80. **But one call of the senate in order.** ~~On motion for the~~
10 ~~previous question, and before the ordering of the~~ After a motion to vote immediately
11 on the main question has carried but before the vote is taken, one call of the senate
12 is in order; but after proceedings under the call have been once dispensed with, or
13 after a majority ~~orders the main question~~ lifts the call, a call is not in order before
14 the ~~decision of~~ vote on the main question.

15 **SECTION 69.** Senate rule 88 (2) is amended to read:

16 SENATE RULE 88 (2) On recommendation of the respective appointing officers,
17 the committee on senate organization shall allocate the number of employees of the
18 senate within the limits established by the staffing pattern then in force and the
19 duties and responsibilities assigned to each employee. ~~The committee on senate~~
20 ~~organization~~ chief clerk shall assign each position to the proper pay range.

21 **SECTION 70.** Senate rule 89 is amended to read:

22 SENATE RULE 89. **Certification of payroll.** The chief clerk ~~and the sergeant~~
23 ~~at arms of the senate~~ shall certify to the department of administration the names of
24 all persons employed in ~~their respective offices by the senate, the capacity in which~~

1 employed, and the amounts respectively due them if the certificate is approved by
2 the chairperson of the committee on senate organization.

3 **SECTION 71.** Senate rule 93 (title) is amended to read:

4 SENATE RULE 93 (title) **Special, extended, or extraordinary sessions.**

5 **SECTION 72.** Senate rule 93 (intro.) is amended to read:

6 SENATE RULE 93 (intro.) Unless otherwise provided by the senate for a specific
7 special, extended, or extraordinary session, the rules of the senate adopted for the
8 biennial session, with the following modifications, apply to each special session
9 called by the governor and to each extended or extraordinary session called by the
10 senate and assembly organization committees or called by a joint resolution
11 approved by both houses:

12 **SECTION 73.** Senate rule 93 (1) is amended to read:

13 SENATE RULE 93 (1) ~~A~~ Except as provided in sub. (1d), a proposal or amendment
14 may not be considered unless it accomplishes the special purposes for which the
15 special session was convened or the business specified in the action authorizing the
16 extended floor period or extraordinary session. Notwithstanding rule 46 (6), any
17 proposal that is adversely and finally disposed of for the biennial session may be
18 revived by specific inclusion in the action authorizing an extraordinary session,
19 provided that the proposal had not failed a vote of concurrence or passage in the
20 senate. Any proposal revived under this subsection is considered to be at the same
21 stage of the proceedings as it had attained upon being adversely and finally disposed
22 of.

23 **SECTION 74.** Senate rule 93 (1d) is amended to read:

24 SENATE RULE 93 (1d) Resolutions offering commendations, congratulations, or
25 condolences, memorializing congress or an individual, or affecting senate or

1 legislative rules or proceedings are declared not to be within the meaning of the term
2 “business” under the constitutional provision limiting the matters to be considered
3 during special sessions to those enumerated in the governor’s call for a special
4 session. All such matters may be considered during any extraordinary session.

5 **SECTION 75.** Senate rule 93 (1p) is amended to read:

6 SENATE RULE 93 (1p) A senate proposal may not be considered unless it is
7 recommended to be introduced ~~or~~, offered, or considered by the committee on senate
8 organization, the senate committee on finance, the joint committee on finance, the
9 joint committee on legislative organization, or by the joint committee on employment
10 relations.

11 **SECTION 76.** Senate rule 93 (2) is amended to read:

12 SENATE RULE 93 (2) A notice of ~~hearing before~~ a committee meeting is not
13 required other than posting on the legislative bulletin board, and a bulletin of
14 committee hearings may not be published.

15 **SECTION 77.** Senate rule 94 (1) and (2) are repealed.

16 **SECTION 78.** Senate rule 98 (3) is amended to read:

17 SENATE RULE 98 (3) The president and chief clerk shall sign a citation on behalf
18 of the senate. If so signed, it is considered approved by the senate and shall be so
19 recorded in the journal. The issuing senator, and any cosponsor, may also sign the
20 citation. If the president or chief clerk refuses to approve a citation, the committee
21 on senate organization may require the president and chief clerk to approve it. A
22 copy of the finished citation shall be provided to the issuing senator, and another copy
23 thereof shall be filed in the legislative reference bureau.

24 **SECTION 79.** Senate rule 99 (27m) is amended to read:

