



2013 SENATE RESOLUTION 2

January 14, 2013 – Introduced by Senators S. FITZGERALD, ELLIS and GROTHMAN.
Referred to Committee on Senate Organization.

1 **To renumber** senate rule 7 (2) to (5); **to renumber and amend** senate rule 7 (1);
2 **to amend** senate rule 4 (6), senate rule 7 (title), senate rule 13m (4), senate rule
3 13m (8), senate rule 17 (6), senate rule 20 (1) (b) 2., senate rule 25 (1) (a), senate
4 rule 46 (2) (c), senate rule 69 and senate rule 99 (77); and **to create** senate rule
5 13r, senate rule 18 (1b), senate rule 25 (5), senate rule 25 (6), senate rule 56m
6 (title), senate rule 56m (1) and senate rule 56m (2m); **relating to:** the senate
7 rules.

Analysis by the Legislative Reference Bureau

This resolution makes the following substantive changes to the senate rules:

Admittance to senate spaces

The resolution provides that any individual who violates senate rules or policies or provisions in the senate policy manual in a senate space may be removed from the senate space and not be allowed admittance to any senate spaces for a period of 24 hours. For a second violation, the individual may be removed from the senate space and not be allowed admittance to any senate spaces until the first roll call day of the next regularly scheduled floorperiod. For a third violation, the individual may be removed from the senate space and not be allowed admittance to any senate spaces for the remainder of the biennial legislative session. The resolution specifically provides that senate spaces include the senate chamber, senate offices, senate

hearing rooms, and any other space in the capitol that is traditionally reserved for the conduct of senate business.

Order and decorum

The resolution clarifies that the president and presiding officer must enforce on all occasions the observance of order and decorum in the senate chamber, not just among the senators.

Definition of senate chamber

The resolution provides that the parlor is included within the definition of “senate chamber” for all purposes of the senate rules.

Display of signs and other objects

The resolution provides that individuals in the gallery may not display signs or other objects. Currently, the prohibition applies only to signs.

Use of electronic devices

The resolution provides that individuals in the gallery must turn off all electronic devices. Currently, the requirement applies only to cellular telephones and pagers.

Points of order

The resolution clarifies that when a point of order is raised, and the point of order concerns a proposal or a question currently pending on such proposal, taking the point of order under advisement removes the proposal from further consideration until the presiding officer announces the ruling on the point of order.

Messages from the assembly

The resolution provides that messages from the assembly or from the governor may be received and read, and any proposal referenced in the messages that is an assembly proposal initially received for consideration of the senate shall be referred. Any other proposals referenced in the messages shall be taken up immediately unless referred by the presiding officer to a standing committee. Under current rules, no proposals referenced in the message may be immediately taken up by the senate.

Committee on Senate Organization chairperson

The resolution provides that when the two major political parties are represented in the senate by equal representation, the former majority leader shall serve as chairperson of the Committee on Senate Organization.

Conduct of individuals in senate meeting rooms

The resolution provides that, unless otherwise ordered by a committee chairperson, an individual in any room in which a senate meeting is being conducted must be quiet at all times; must be seated at all times; and may not display signs or other objects.

Rereferral of proposals and appointments

The resolution permits the president, with the consent of the chairperson of the Committee on Senate Organization, to withdraw a proposal or appointment from the standing committee to which it is referred and rerefer it to another standing

committee. Currently, the president also needs the consent of the chairperson of the standing committee.

Senate rules and committee proceedings

The resolution provides that, insofar as applicable, the rules of the senate apply to the procedures of standing committees and special committees.

Resolutions to change senate rules

The resolution clarifies that after the senate rules have been established at the commencement of the biennial session, any resolution to change the senate rules must lay over one week, regardless of whether the resolution is privileged.

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

2 **SECTION 1.** Senate rule 4 (6) is amended to read:

3 SENATE RULE 4 (6) Enforce on all occasions the observance of order and decorum
4 among the members in the senate chamber.

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

6 SENATE RULE 7 (title) **Presiding officer to preserve order; appeal.**

7 **SECTION 3.** Senate rule 7 (1) is renumbered senate rule 7 and is amended to
8 read:

9 SENATE RULE 7. The presiding officer shall preserve order and decorum; ~~may~~
10 speak to points of order in preference to others, rising for that purpose; and shall
11 decide questions of order, subject to an appeal by a member, on which appeal each
12 member ~~may speak once not to exceed 5 minutes~~.

13 **SECTION 4.** Senate rule 7 (2) to (5) are renumbered senate rule 56m (2) to (5).

14 **SECTION 5.** Senate rule 13m (4) is amended to read:

15 SENATE RULE 13m (4) May not display signs or other objects. If an individual
16 brings a sign to the chamber, the sign shall be left in the gallery vestibule.

17 **SECTION 6.** Senate rule 13m (8) is amended to read:

18 SENATE RULE 13m (8) Shall turn off all cellular telephones and pagers electronic
19 devices.

1 **SECTION 7.** Senate rule 13r is created to read:

2 SENATE RULE 13r. **Admittance to senate spaces.** (1) Any individual who
3 violates senate rules or policies or provisions in the senate policy manual in a senate
4 space may be removed from the senate space and not be allowed admittance to any
5 senate spaces for a period of 24 hours.

6 (2) Any individual who violates senate rules or policies or provisions in the
7 senate policy manual in a senate space a 2nd time during a biennial legislative
8 session may be removed from the senate space and not be allowed admittance to any
9 senate spaces until the first roll call day of the next regularly scheduled floorperiod.

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

14 (4) Senate spaces shall specifically include the senate chamber, senate offices,
15 senate hearing rooms, and any other space in the capitol that is traditionally
16 reserved for the conduct of senate business.

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

19 **SECTION 8.** Senate rule 17 (6) is amended to read:

20 SENATE RULE 17 (6) Any action that would occur on the 2nd, 3rd, 4th, 5th, 6th,
21 7th, or 8th order of business during a daily session, but that actually occurs after the
22 completion of the applicable order of business on that day, is considered to have
23 occurred on the applicable order of business for the purpose of producing the journal.

24 **SECTION 9.** Senate rule 18 (1b) is created to read:

1 SENATE RULE 18 (1b) Messages from the assembly or from the governor may be
2 received and read, and any proposal referenced in the messages that is an assembly
3 proposal initially received for consideration of the senate shall be referred. Any other
4 proposals referenced in the messages shall be taken up immediately unless referred
5 by the presiding officer to a standing committee.

6 **SECTION 10.** Senate rule 20 (1) (b) 2. is amended to read:

7 SENATE RULE 20 (1) (b) 2. The former majority and minority leaders and former
8 majority and minority assistant leaders. The former majority leader shall be the
9 chairperson.

10 **SECTION 11.** Senate rule 25 (1) (a) is amended to read:

11 SENATE RULE 25 (1) (a) A chairperson who determines to hold a hearing shall
12 schedule the hearing as early ~~in the session~~ as practicable.

13 **SECTION 12.** Senate rule 25 (5) is created to read:

14 SENATE RULE 25 (5) Unless otherwise ordered by the chairperson, an individual
15 in any room in which a senate meeting is being conducted:

16 (a) Shall be quiet at all times.

17 (b) Shall be seated at all times.

18 (c) May not display signs or other objects.

19 **SECTION 13.** Senate rule 25 (6) is created to read:

20 SENATE RULE 25 (6) Insofar as applicable, the rules of the senate apply to the
21 procedures of standing committees and special committees.

22 **SECTION 14.** Senate rule 46 (2) (c) is amended to read:

23 SENATE RULE 46 (2) (c) After the time of initial referral by the president under
24 rule 36 (2), the president may, with the consent of the ~~chairperson of the standing~~
25 ~~committee and the chairperson of the committee on senate organization,~~ withdraw

1 a proposal or appointment from the standing committee to which it is referred and
2 rerefer it to another standing committee, except that such a withdrawal may not take
3 effect during the 7 days preceding any scheduled committee hearing or the 7 days
4 following the date on which a committee hearing is held. Rereferral under this rule
5 may be made at any time, but may not be used to satisfy section 13.093 (1) of the
6 statutes.

7 **SECTION 15.** Senate rule 56m (title) is created to read:

8 SENATE RULE 56m (title) **Points of order.**

9 **SECTION 16.** Senate rule 56m (1) is created to read:

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

14 **SECTION 17.** Senate rule 56m (2m) is created to read:

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

19 **SECTION 18.** Senate rule 69 is amended to read:

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

