

SPECIAL SESSIONS OF THE WISCONSIN LEGISLATURE

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The Wisconsin Constitution authorizes the governor to convene the state legislature in “special session.” Typically, the governor convenes a special session of the legislature to address one or more matters the governor considers so important that the matters must be addressed promptly and separately from other legislative business. When it is in regular session, the legislature may act on any public policy issue; but in special session, the legislature may consider and act only on those subjects enumerated by the governor in the special session proclamation or call. In addition, there are unique legislative procedures in a special session to speed up the lawmaking process, in recognition of the fact that special session issues may require prompt attention. Since Wisconsin became a state in 1848, the governor has called the legislature into special session 110 times.¹ The most recent special session was the October 2022 Special Session, called by Governor Tony Evers to consider a constitutional amendment that would provide for statewide binding referenda and ballot initiatives. In his special session call, Governor Evers stated that such a process was necessary to overturn Wisconsin’s statutory abortion ban.²

This article summarizes the Wisconsin governor’s authority to call a special session of the legislature, explains how these sessions are convened and conducted, and briefly examines trends in special sessions over time.

Before turning to this discussion, it is helpful to understand the basic contours of Wisconsin’s legislative schedule. The Wisconsin Legislature is a full-time, biennial body that convenes for the first time in January of each odd-numbered year. Typically, the legislature meets in regular session throughout the odd-numbered year and then through the early months of the next even-numbered year before adjourning the regular session until the inauguration date of the next succeeding legislature. The regular session consists both of regularly scheduled floorperiods, as well as nonscheduled, extraordinary sessions and special sessions. Extraordinary sessions differ from special sessions in that the legislature convenes extraordinary sessions on its own initiative, while the governor convenes special sessions. The Wisconsin Supreme Court has affirmed that special and extraordinary sessions may be convened at any time throughout the legislative biennium.³ The purpose of special and extraordinary sessions is typically to focus attention on important public policy matters or, as is sometimes the case

with extraordinary sessions, to address unfinished legislative business after the last general-business floor period ends. Unlike an extraordinary session, which is initiated by members of the legislature or legislative committees, a special session is called for and directed by the governor. For more information on extraordinary sessions, see page 435.

Authority to call a special session

The authority for the governor to call a special session derives from two constitutional provisions, which were included in the original Wisconsin Constitution. Wis. Const. art. V, § 4, authorizes the governor to “convene the legislature on extraordinary occasions.” Wis. Const. art. IV, § 11, provides the following:

The legislature shall meet at the seat of government at such time as shall be provided by law, unless convened by the governor in special session, and when so convened no business shall be transacted except as shall be necessary to accomplish the special purposes for which it was convened.

The constitution thus authorizes the governor to call a special session and to limit the scope of that session to specific purposes, but it does not prescribe how the session must be convened or conducted. The rules and procedures for holding a special session have evolved over time and are governed by legislative rules and practice, attorney general opinions, and court decisions.⁴

It is important to note that a special session is not part of the legislature’s regular session. A special session is a distinct session of the legislature called by the governor. As a separate session, the only legislation that may be enacted in that session is legislation introduced and passed by the assembly and senate in that session. In 1963, Assembly Speaker Robert D. Hasse discussed how a special session is distinct from a regular session:

A special session of the Wisconsin Legislature is a “new session” in the sense that, when it convenes, it has nothing before it on which it can act. Each proposal, in order to be acted on by the legislature meeting in special session, must be placed before the legislature in the proper form of a bill, joint resolution or resolution, introduced in that special session. [. . .]

A special session of the Wisconsin Legislature is a “new session” in the sense that it is not bound by the action of the legislature in the preceding regular session, but that any action taken by the legislature meeting in special session must be taken from the beginning and, if a law is to be enacted, go through the complete lawmaking cycle.⁵

That said, on two different occasions, in 1977 and in 1983, governors included consideration of partial vetoes of regular session bills in their special session calls. In fact, during the June 1977 Special Session, the legislature successfully overrode

several partial vetoes of provisions in 1977 Senate Bill 77 (the biennial budget bill), thereby enacting those provisions into law. These two instances indicate that a regular session bill may be considered during a special session if the special session is called for the purpose of overriding the governor's veto of the regular session bill. This is an exception to the general rule that legislation and other legislative business from the regular session may not be carried over into a special session.

Process for calling a special session

The first formal step in organizing a special session is the issuance of a proclamation or call by the governor setting forth the day and hour for convening the session and the purpose for which the session is to be held. The Wisconsin Constitution does not stipulate how the subjects of the call must be enumerated, or even the manner in which the call must be issued. Over 100 years ago, in an opinion to Governor Emanuel L. Philipp in 1918, Attorney General Spencer Haven described the broad options available to the governor in calling a special session:

[T]he constitution leaves the matter wholly within your hands. You are hampered by no machinery, and no limitations. The time of issuing the proclamation, the time when the session shall convene, the subjects to be considered thereat, the length of notice to be given to the members, the method of notifying them, all are left entirely to your discretion.⁶

Since 1983, governors have issued special session proclamations via executive order.⁷ Between 1983 and 2013, executive orders calling for special sessions typically listed the general topic or topics of the session, sometimes including some or all of the language in a relating clause of legislation the governor would ultimately go on to have introduced as part of the special session.⁸ Within the last 10 years, however, these executive orders have regularly identified individual pieces of legislation by Legislative Reference Bureau (LRB) draft number, a practice first used by Governor Scott McCallum in 2001 and regularly used by Governors Scott Walker and Evers since then.⁹

Identifying a special session call by LRB draft numbers can result in some ambiguity in determining the purpose of the special session call. For example, questions arise as to whether the special session call is the relating clause of the LRB draft identified in the executive order or any matter addressed in the LRB draft or drafts. Importantly, whether the special session call includes LRB draft numbers or relating clauses, the legislature is under no legal obligation to act on any of the legislation identified by the governor. Instead, the legislature may consider any legislation that is germane to the special session call, as discussed later in this article.¹⁰ It is also important to note that the legislature is under no

constitutional obligation to introduce, consider, or pass any legislation during a special session.

On the date specified in the governor's special session call, each house of the legislature usually convenes the session in "skeletal session," attended only by a few members at most, during which the body convenes and then immediately adjourns to a date certain or adjourns the special session permanently, without engaging in any legislative business. In doing this, each house of the legislature satisfies the constitutional requirement to convene the special session at the time and date set by the governor, but each house can still determine for itself when, if at all, it will act on the special session call. Also, the governor may later supplement the original call by issuing new proclamations and adding topics for the legislature to consider in special session. In January 2011, for example, Governor Walker called the legislature into special session to consider legislation relating to taxes, rule-making authority and procedures, health savings accounts, tort reform, and the creation of the Wisconsin Economic Development Corporation. He went on to supplement that call four times, adding other subjects such as regulation of telecommunication utilities and consideration of a budget repair bill.¹¹

Special session legislative procedures

At its first meeting in January of an odd-numbered year, the legislature organizes itself to conduct business during the biennium through adoption of a joint resolution establishing the regular session calendar.¹² The legislative schedule, typically adopted as Senate Joint Resolution 1, is divided into regular session floor periods interspersed with periods for committee work. A special session can be called at any point in the biennium, and there is a continuity of procedural rules for regular sessions and special sessions. Rules in effect at the conclusion of the preceding regular session are carried forward, which means that when a special session is convened, each house already has a body of rules in force.¹³

However, there are also a number of rules that specifically apply only during special and extraordinary sessions.¹⁴ During a special session, any newly introduced proposals are numbered specifically as special session proposals.¹⁵ In other words, the first special session assembly bill is Special Session Assembly Bill 1 and the first special session senate bill is Special Session Senate Bill 1. Each special session bill is also identified by the month for which the special session is called. For example, for the special session convened by Governor Evers on January 19, 2021, relating to the state's unemployment insurance program, the two introduced bills were January 2021 Special Session Assembly Bill 1 and January 2021 Special Session Senate Bill 1. This rule is in keeping with the idea that a special session is an entirely different legislative session from a regular session, and requires that

all legislative proposals to be considered at the special session be introduced in that special session.¹⁶ A special session differs from an extraordinary session in that extraordinary session proposals are introduced and numbered in sequence with regular session proposals, since an extraordinary session is still considered part of a regular session. Also, in an extraordinary session, regular session bills already introduced or acted on may be taken up if included in the extraordinary session call, including bills already passed by one house. This is not the case for a special session.

During a special session, only certain actors may introduce legislation. The joint rules provide that special session proposals may be introduced only by the following committees: the Joint Committee on Legislative Organization (JCLO), the Joint Committee on Employment Relations, the organization committee of either house, or “any other committee of either house authorized to do so by the rules of that house.”¹⁷ The senate and assembly rules authorize introduction of proposals by each house’s respective committee on finance, as well as the Joint Committee on Finance; the assembly rules also authorize the Assembly Committee on Rules to introduce proposals.¹⁸ Special session legislation is often introduced by these committees “by request of” the governor.¹⁹ However, although the legislature must convene on the date specified in the special session call, the legislature is not required to introduce or consider any special session proposals. Indeed, during the 2019–20 and 2021–22 legislative sessions, the legislature did not introduce any of the proposals identified by LRB number in eight different special session calls issued by Governor Evers.²⁰

The senate and assembly rules provided specifically for special sessions serve generally to expedite the legislative process and are the same procedural modifications provided for extraordinary sessions. For example, under the senate rules, notice for special session committee meetings need only be posted on the legislative bulletin board; under the assembly rules, notice need only be posted on the bulletin board and on the legislative website.²¹ Further, the senate and assembly rules both provide that, during a special session, proposals may be referred to the day’s calendar and taken up immediately and that a calendar does not have to be provided.²²

Other modifications affect floor debate during special sessions. For example, both houses prohibit motions to postpone proposals.²³ To advance a proposal to a third reading on the day that it is given its second reading or to message it to the other house on the same day that it is passed, both houses require only a simple majority vote of those present and not a suspension of the rules, as is usually the case in regular session.²⁴ During special session in the assembly, in almost all cases, motions to reconsider must be taken up immediately.²⁵ In the senate, any

point of order must be decided within an hour.²⁶ Together, these modifications allow bills to be taken up on a legislative day, amended, and passed and messaged to the other house on the same legislative day. This is not possible on a regular session day unless the rules are suspended.

Each house's rules also provide that procedural modifications may be adopted for a specific special or extraordinary session.²⁷ While this practice has been exceedingly rare in recent decades, note that procedural modifications were adopted when the April 2020 Extraordinary Session was called to address the COVID-19 pandemic. When the organization committees in each house adopted motions to convene the session, the committees also adopted a number of special procedures to account for the fact that the session would be a primarily virtual meeting and to accelerate the usual extraordinary session procedures even further. For example, the rule modifications required that all amendments be introduced by 9 a.m. on the day of the session and also prohibited members from offering privileged resolutions during the session.²⁸

Per longstanding legislative custom and practice, special sessions may be held concurrently with regular session floor periods or extraordinary sessions. In other words, in a single calendar day, the senate or the assembly can, and sometimes will, meet on the floor in special session as well as in regular or extraordinary session, a practice upheld by the Wisconsin supreme court.²⁹

The governor has the power to convene a special session but not to adjourn it. The legislature may adjourn a special session at any time, either in skeletal session or when the full body is on the floor.³⁰ The session schedule adopted at the beginning of the legislature's biennial session typically provides that a motion adopted in each house to adjourn a special session pursuant to the session schedule constitutes final adjournment of the special session.³¹ In other words, when the senate and the assembly want to end the special session, the houses adjourn expressly pursuant to Senate Joint Resolution 1. Special session bills die at the adjournment of the session and are no longer available for consideration in regular session. Importantly, however, Senate Joint Resolution 1 provides that a majority of members of JClo may reconvene a special session after final adjournment, solely for the consideration of full or partial vetoes of bills passed during the special session.³²

Scope and germaneness

The most significant limitation on the powers of the legislature when it is meeting in special session is set forth in Wis. Const. art. IV, § 11: "[W]hen [the legislature is] so convened no business shall be transacted except as shall be necessary to accomplish the special purposes for which it was convened." In other words, the legislature may only pass legislation relating to the special session call. This

germaneness requirement gives the governor the power to set the scope of a special session by detailing the subjects on which the legislature may act, but the legislature retains considerable discretion to shape the substance of legislation, and thus the enactments, of a special session. The extent to which the legislature is constrained in its lawmaking actions during a special session is based partly on the specificity of the governor's call. However, Wisconsin Supreme Court and attorney general opinions have long affirmed the power of the legislature to broadly interpret the purpose of a governor's special session call.

During the March 1922 Special Session, for example, Attorney General William J. Morgan opined that, although a call for a special session of the legislature may specify in minute detail the laws that the governor wishes to be enacted, the legislature has the constitutional authority to enact any law designed to accomplish subjects of legislation suggested in the call.³³ In this respect, the legislature may specify the means or manner by which the subject of a governor's special session call is accomplished.

The most important litigation on this issue occurred a decade later, in response to the November 1931 Special Session. Attorney General John W. Reynolds Sr. was asked his opinion about the germaneness of a bill relating to the governor's call asking the legislature "to make provisions for the relief of unemployed citizens." The bill generally provided for the postponement for six months of the payment of real estate taxes, which applied to both employed and unemployed persons. He responded that the postponement "unquestionably would be 'relief'" of unemployed persons "as this term is generally understood and within the meaning of the governor's call" but that the overall plan was beyond the scope of the call because it would also provide such relief to numerous employed persons, as well as the unemployed.³⁴ Litigation eventually ensued over the constitutionality of legislation enacted during that special session.

In *State ex rel. Madison v. Industrial Commission* (1932), a case involving the construction and application of the special session laws, the Wisconsin Supreme Court indirectly affirmed the legislature's power to broadly interpret the purpose of a special session call: "The language of a statute must be construed with reference to its context and the purposes sought to be accomplished." The court continued, "[I]t must be presumed that the legislature of the state, being its supreme law-making body, has made careful investigation of the entire situation."³⁵ The court found that the legislature, during the November 1931 Special Session, was justified in its expansive understanding of the unemployment situation it confronted when responding to the special session call:

We may take judicial notice of the fact that commencing late in 1929 and continuing down to the present time depression and unemployment have

existed throughout the length and breadth of this land; that during the year 1931 the unemployment situation was particularly acute; that at the time the legislature was in session, the winter of 1931 and 1932 promised no substantial change for the better.³⁶

In *Van Dyke v. Wis. Tax Comm'n (In re Van Dyke)*, a 1935 decision in which the legislation enacted during the November 1931 Special Session law was challenged directly as being outside of the special session call, the Wisconsin Supreme Court referred to its decision in *State ex rel. Madison v. Industrial Commission*, and reaffirmed that the legislature, in passing special session legislation, could consider “broadly the purposes which the governor had in mind in convening the Legislature in special session.”³⁷ Put differently, the governor could set the special session agenda by designating the special session call, but the legislature was free to act on that agenda as it determined best.

As mentioned earlier, over the last decade, governors have regularly issued special session calls that do not identify a general purpose, but rather identify LRB drafts and include the relating clauses to those drafts in the call.³⁸ Presumably, this is done in an effort to require the legislature to consider legislation drafted specifically by the governor to address the purpose of the special session. There are two problems with this approach. First, the legislature is not required to introduce or even to take up any of the LRB drafts identified in the special session. Instead, the legislature may act on any legislative proposal introduced during the special session so long as the proposal is germane to the call. Second, the purpose of a special session is clouded and made ambiguous by a call that refers to LRB drafts rather than a call that clearly states a legislative purpose. A relating clause of a bill draft may capture the general subject of a bill, but a bill may also contain related items or tangentially affect statutory sections or subjects not identified in the relating clause. The question then becomes whether these tangential statutory sections or subjects are also included within the call. Moreover, a related issue concerns whether the LRB drafts identified in the special session call are what constitute the special session call or whether the LRB drafts are instead examples of legislation that may be taken up and that are related to an unstated general purpose or call. For these reasons, a special session call that refers only to LRB drafts, and not a specific purpose, may be ambiguous and, insofar as the call seeks to constrain the legislature in its actions, may actually expand the limits of what the legislature can address and accomplish during a special session.

Concluding comments: special session trends

The governor’s power to convene the state legislature in special session was a power contained in Wisconsin’s original constitution. Wisconsin’s constitution

embodies both the separation of powers doctrine and the system of checks and balances in which political power is disbursed among the three branches of government, each with unique and some overlapping powers. The ability of the legislature to convene itself into session is a legislative power, but the governor's ability to convene the legislature in special session provides the governor with a modicum of legislative power. As the Wisconsin Supreme Court put it, "This power of the governor is a part of the checks and balances in our tripartite form of government."³⁹

For most of Wisconsin history, the governor's power to convene the legislature in special session was seldom used. Between 1848 and 1970, for instance, the governor called a total of 27 special sessions—which averages out to about one special session every five years. Governors exercised restraint in using the special session power. Importantly, these special sessions shared several characteristics. First, the special sessions were almost always called after the legislature had adjourned its regular session *sine die*.⁴⁰ In other words, the legislature had permanently adjourned itself for the legislative session and could only reconvene in special session. Second, the special session calls were often to address major economic and political issues. Special sessions were called to expand state powers during the Civil War; to deal with tornado damage in 1878 and flooding in 1912; to allow for absentee voting for soldiers during World War I; to provide for unemployment relief during the Great Depression; and to address veterans housing after World War II. These issues often demanded immediate legislative action. Finally, in every special session convened, the legislature carried out actions specified in the governor's call, such as to pass laws, adopt joint resolutions, or confirm gubernatorial appointments.

Over the past five decades, however, the governor's use of the special session power and legislative action during a special session have changed. An initiator for this shift was a 1969 Wisconsin Supreme Court decision, holding that the governor could convene the legislature in special session before the legislature had adjourned its regular session.⁴¹ This meant that governors were not constitutionally limited in their use of the special session power to periods after *sine die* adjournment. Whereas the special session power had historically been used to augment and enhance legislative power, by allowing the legislature to reconvene for purposes of enacting legislation, the new use of the special session power was one in which the governor could try to require the legislature to address political and economic issues that the legislature could have chosen to address on its own. The governor's power to convene the legislature in special session was not just to allow the legislature to address emergency situations, but rather to force the legislature to address issues that the governor considered pressing

policy matters. In this respect, the governor's special session power became more of an agenda-setting power.

From 1971 through 2022, there were a total of 83 special sessions called by the governor—which averages out to about eight every five years. This was a dramatic increase in the number of special sessions. Moreover, of these 83 special sessions, 53 were called before the legislature had adjourned its last general-business floor-period. In other words, the governor was attempting to require the legislature to act on certain issues during the regular session. Convening a special session became a gubernatorial tool to set the legislative agenda.

Also, in the 1960s, the legislature began the practice of remaining in session throughout the entire duration of the biennium. Soon thereafter, in 1980, the legislature began the practice of reconvening itself in extraordinary session, including after the adjournment of the last general-business floor-period.⁴² The legislature did not need the governor to call a special session in order to reconvene in session and address pressing policy issues; it had the power to do this itself.

During the period between 1971 and 2022, therefore, while special sessions were sometimes convened to have the legislature act expeditiously upon urgent matters, it became more common for governors to call special sessions for ordinary legislative matters. Few special sessions dealt with emergency situations requiring immediate legislative action. This can be seen in the table on page 502, which lists the topics of each special session called in Wisconsin history. The vast majority of special sessions called after 1971 were on ordinary public policy items that could have quickly and easily been addressed in regular session. Instead, special sessions were often called to address key components of the governor's policy agenda. This was a new and innovative use of the governor's special session power.

But just as the governor's use of special sessions evolved to become an agenda-setting tool, so too did the legislative response to convening in special sessions. As previously stated, in every special session convened between 1848 and 1970, the legislature took action related to the governor's call, such as to pass laws, adopt joint resolutions, or confirm gubernatorial appointments. Governors called special sessions and the legislature responded. In contrast, during the period between 1971 and 2022, there were 19 special sessions that did not result in legislative action related to the governor's call. These sessions occurred not just when there was split political-party control of the legislature and the governor's office, but also when the same political party controlled both the executive and legislative branches of government. But this trend has been at its peak during the Evers gubernatorial administration with divided political-party control of state government. As the table on page 502 shows, Governor Evers called 12 special sessions during his first term in office—the second-highest number during a four-year term of office of

any Wisconsin governor—and the legislature did not pass any legislation in 11 of these sessions. In fact, for 10 of these sessions, no legislation was even introduced and neither house of the legislature convened as a full body. Prior to Governor Evers’s time in office, there were only two special sessions for which only skeletal sessions were held in both houses before adjournment.⁴³ While the governor may call special sessions, the legislature need not respond. As an agenda-setting tool, the governor’s special session power may have lost its vitality.

This article has shown that the governor’s power to convene the legislature in special session has evolved over time. For most of Wisconsin history, the governor’s special session power enabled the legislature to better exercise its lawmaking powers by allowing the legislature to convene at times when the legislature was constitutionally forbidden to meet. In this way, the governor’s power to convene the legislature when it could not convene itself made the legislature stronger and encouraged legislative-gubernatorial cooperation and partnerships. But as the legislature acquired for itself the ability to meet throughout the legislative biennium by extending its regular session in extraordinary session, and as governors increasingly convened special sessions when the legislature was already meeting in regular session, the special session power evolved into one that was more suited to allowing the governor to pursue the governor’s public policy agenda. Special sessions were often called on ordinary legislative business and less often on emergencies facing the state. But the evolution of the governor’s special session power into an agenda-setting tool may have reached its apogee. Repeatedly, during the Evers administration, the legislature has not responded to gubernatorial attempts to set the legislative agenda in special session. It is unclear if this is simply a function of divided political-party control of state government or a trend that will continue, even when the same political party controls the legislature and the governor’s office. Time will tell. **BB**

NOTES

1. This number includes Governor Gaylord Nelson’s June 1962 special session call. The legislature went on to convene in regular session to act on items in the governor’s special session call as well as other pending legislative business. See *Legislative Journals and Indexes Vol. III*, June 18, 1962–January 9, 1963.

2. 2022 Executive Order No. 175.

3. State *ex rel.* Groppi v. Leslie, 44 Wis. 2d 282, 300 (1969); League of Women Voters v. Evers, 2019 WI 75, 387 Wis. 2d 511, 929 N.W.2d 209.

4. Although there is no statute explicitly governing special sessions, the term does appear in the statutes. For example, Wis. Stat. § 8.50 (4) (d) provides, in part, that “any vacancy in the office of state senator or representative to the assembly occurring after the close of the last regular floorperiod of the legislature held during his or her term shall be filled only if a special session or extraordinary floorperiod of the legislature is called or a veto review period is scheduled during the remainder of the term.”

5. Wis. Assembly Journal (1963) 14–16.
6. 7 Wis. Op. Att’y Gen. 49, 49–50 (1918).
7. Governor Anthony Earl issued 1983 Executive Order No. 32, calling for a special session focusing on a variety of policy topics.
8. See, for example, 2008 Executive Order No. 246, which called for a special session to “consider and act upon legislation relating to: the Great Lakes-St. Lawrence River Basin Water Resources Compact, withdrawals of water from the Great Lakes Basin, water withdrawal and use, water supply planning, water conservation, granting rule-making authority, and providing a penalty.”
9. See 2001 Executive Order No. 7, which called for a special session to consider and act upon LRB-3092/8. LRB numbers are identifiers used by the Wisconsin Legislative Reference Bureau for drafted bills that have not yet been introduced.
10. In a 1987 letter to Governor Tommy Thompson, Assembly Speaker Tom Loftus made clear the legislature’s power in addressing a special session: “Calling a special session, a Governor can only limit the purpose for which the special session is called. The means by which and the extent to which the general purposes of the call are to be implemented are policy decisions for the Legislature.” Quoted in “The Ground Rules of a Special Session,” *LRB Information Bulletin* 96-8, November 1996, 8.
11. See 2011 Executive Order No. 1, the original call, and the four supplemental calls: 2011 Executive Order No. 4, 2011 Executive Order No. 14, 2011 Executive Order No. 25, and 2011 Executive Order No. 33.
12. Wis. Stat. § 13.02. See 2023 Wis. SJR 1.
13. Assembly Rule 92; Senate Rule 92. This was an issue in the past when the legislature regularly adjourned its regular session *sine die* and was required to reconstitute itself as a legislative body when it reconvened in a special session by the governor. Adjournment *sine die* (Latin for “without day”) meant that the legislature essentially dissolved.
14. Senate Rule 93; Assembly Rule 93.
15. Joint Rule 79 (3).
16. As noted earlier, there were two special sessions called for the purpose of overriding the governor’s partial vetoes of regular session bills. Veto overrides of regular session bills during a special session, if the special session is called for the purpose of overriding regular session bill vetoes, appears to be an exception to the general rule that all legislative proposals considered during a special session must have been introduced during that special session.
17. Joint Rule 81 (2) (c).
18. Senate Rule 93 (1p); Assembly Rule 93 (2). Note that these senate and assembly rules provide that proposals may not be considered unless they are “recommended to be introduced, offered, or considered” by these identified committees, suggesting that individual legislators may introduce special session bills so long as they are “considered” by one of the committees. These rules would seem to contradict the wording of the joint rule, which effectively prohibits individual members from introducing special session proposals. However, this has only happened once in recent decades. During the January 2011 Special Session, Representative Chris Kapenga introduced January 2011 Special Session Assembly Bill 12, which was referred to the Assembly Committee on Labor and Workforce Development.
19. See January 2020 Special Session Assembly Bill 1, “Introduced by Committee on Assembly Organization, by request of Governor Tony Evers.”
20. See 2019 Executive Order No. 54, 2020 Executive Order No. 69, 2020 Executive Order No. 84, 2021 Executive Order No. 116, 2021 Executive Order No. 127, 2022 Executive Order No. 156, 2022 Executive Order No. 168, and 2022 Executive Order No. 175.
21. Senate Rule 93 (2); Assembly Rule 93 (3).
22. Senate Rule 93 (3); Assembly Rule 93 (4).
23. Senate Rule 93 (5); Assembly Rule 93 (5).
24. Senate Rule 93 (6); Assembly Rule 93 (7).
25. Assembly Rule 93 (6). In the senate, no such rule is necessary because all actions to advance a proposal are decided by simple majority vote, including messaging the senate’s actions to the assembly.
26. Senate Rule 93 (4).
27. Senate Rule 93 (intro.); Assembly Rule 93 (intro.).
28. Wis. Senate Journal (April 2020) 820; Wis. Assembly Journal (April 2020) 746–47.
29. State *ex rel.* Groppi v. Leslie, 44 Wis. 2d 282, 300 (1969).

30. Senate Rule 15, 85 (6); Assembly Rule 30 (3).
31. See, for example, 2023 Wis. SJR 1 § 1 (5) (a).
32. See, for example, 2023 Wis. SJR 1 § 1 (5) (c).
33. 11 Wis. Op. Att’y Gen. 249 (1922).
34. 20 Wis. Op. Att’y Gen. 1241, 1242 (1931).
35. State *ex rel.* Madison v. Industrial Commission, N.W. 207 Wis. 652, 660 (1932).
36. *Madison*, N.W. 207 Wis. 652, 658.
37. *Van Dyke v. Wis. Tax Comm’n (In re Van Dyke)*, 217 Wis. 528, 542 (1935).
38. The most recent example is Governor Evers’s special session call for October 4, 2022. See 2022 Executive Order No. 175.
39. *Groppi*, 44 Wis. 2d at 282, 300.
40. The only exception was in June 1962, when the legislature was called into special session, but had yet to formally adjourn the regular session. A 1962 attorney general opinion was issued to argue that the governor could call a special session at this time. 51 Wis. Op. Att’y Gen. 1 (1962). Adjournment *sine die* (Latin for “without a day”) means the absolute end of the session; it essentially terminates the sitting and the power of the legislature.
41. *Groppi*, 44 Wis. 2d at 300. This decision was consistent with the 1962 attorney general opinion in 51 Wis. Op. Att’y Gen. 1 (1962).
42. An extraordinary session is simply an unscheduled regular session floorperiod. See *League of Women Voters v. Evers*, 2019 WI 75, 387 Wis. 2d 511, 929 N.W.2d 209.
43. The June 2009 Special Session and the March 2018 Special Session.