

Special and Extraordinary Sessions of the Wisconsin Legislature

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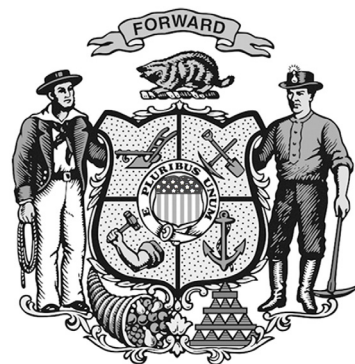


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SPECIAL AND EXTRAORDINARY SESSIONS OF THE WISCONSIN LEGISLATURE

I. INTRODUCTION

As the names suggest, “special” and “extraordinary” sessions of the Wisconsin Legislature differ from regular sessions in their purposes and procedures. They are similar to each other in that they are called solely to consider one or more specified topics or pieces of legislation. Their chief difference is that a special session is called by the governor and an extraordinary session is initiated by the legislature.

In the state’s early history, the legislature met for only a few months at the beginning of its term and then typically adjourned for the balance of the period. (Prior to 1883, sessions were held annually; since 1883, the legislature has met on a biennial schedule.) The special session served as a mechanism for the governor to bring the lawmakers back to Madison to address crises, such as natural disasters, fiscal emergencies, economic calamities, or civil disturbances. Now that the legislature schedules floorperiods throughout much of a biennial session, the purpose of special and extraordinary sessions often is to focus attention on important public policy matters or to deal with unfinished business after the conclusion of the last scheduled floorperiod. Convening a special session enables the governor to take on a greater role in guiding legislation by setting the time and the agenda for the legislative meeting. When the legislature calls an extraordinary session, it can focus its attention on specific legislation it wants to expedite.

This bulletin provides an overview of the rules pertaining to special and extraordinary sessions of the Wisconsin Legislature and documents those types of sessions chronologically since statehood.

II. SPECIAL SESSIONS

Constitutional Basis

Special sessions are based on two provisions of the Wisconsin Constitution. Article V, Section 4, provides that the governor “shall have power to convene the legislature on extraordinary occasions.” Article IV, Section 11, states:

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.

Governor Determines Dates and Scope of a Special Session

A special session is called by the governor and is restricted to those matters specified in the call. A governor may supplement the original session call by issuing new proclamations to add new topics. A complete listing of the more than 90 special sessions held to date and their major purposes appears in the Appendix.

The Call. The initial step in the special session process is the issuance of a proclamation by the governor setting forth the day and hour for convening the session and describing the

purposes for which the session is to be held. In recent years, the proclamation has taken the form of an executive order. In an opinion to Governor Emanuel L. Philipp in 1918, Attorney General Spencer Haven indicated that the executive's options in calling a special session were quite broad:

It will be noted that this provision of the 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. (7 OAG 49)

Attorney General Stewart G. Honeck's opinion in 1948 (37 OAG 374) stated that the call may be issued in person or by mail, telephone or telegraph. He also added that failure to contact individual members who are out of the state or unavailable does not invalidate the special session.

Special Session May Be Conducted Concurrently with a Regular Session. The governor may call for a special session to begin at any time. It is not uncommon for special sessions and regular legislative sessions to convene during a regular session floorperiod, and even to meet on the same day, although the meetings are separate and distinct. In *State ex rel. Groppi v. Leslie*, 44 Wis. 2d 300 (1969), the Wisconsin Supreme Court determined that the constitution does not limit special sessions to days when the legislature is not scheduled to be in session. It reasoned that to deny the governor the ability to call a special session while the legislature is in regular session would restrict the governor's right to focus consideration on specific legislation.

Subjects To Be Considered. In regular session, the legislature may act upon a wide range of public policy issues, but in special session it can deal only with those subjects specifically enumerated by the governor in the special session proclamation. All bills and amendments introduced in the special session must be germane to the call. Upon occasion, specific bills or amendments have been challenged as invalid because they were nongermane. The governor then has the option of amending the call to permit consideration of measures which have been ruled nongermane or to focus on the attention of the legislature on additional items. Table 3 lists selected rulings by attorneys general and decisions of the Wisconsin Supreme Court that provide guidelines about germaneness and other issues relating to the conduct of special sessions.

In addition to passing legislation, the legislature may take other action if it is authorized by the call. A joint resolution proposing an amendment to the Wisconsin Constitution or ratifying an amendment to the United States Constitution can be considered when necessary to accomplish one of the objectives enumerated in the governor's call, and gubernatorial appointments can be considered if they are an object of the call.

Legislative Discretion in Response to Call's Purposes. The governor can detail the particular topics to be considered, but cannot compel the legislature to consider specific bills or take specific action. Assembly Speaker Thomas Loftus offered an explanation of the respective special session powers of the governor and the legislature in a 1987 symposium conducted by the Eagleton Institute of Politics at Rutgers University:

The governor can call and state the purpose of a special session; however, it is the legislature's power to act or not to act, to convene and then adjourn to a more convenient time, and if it acts, to arrive at any solution to the problem it wishes. The governor cannot pose the question and limit the answer. The governor can only pose the problem and suggest a solution.

The governor's call can specify the objectives of the legislation which the legislature is to consider and recommend means to accomplish them, but the legislature has considerable latitude to determine to what extent and in what form it responds to the advisory instructions. It is even free to produce legislation at cross-purposes to the governor's intentions, provided it stays within the subject area restrictions. Attorney General William J. Morgan stated in 1922 that, although a call for a special session of the legislature may specify in minute detail the laws the governor wishes enacted, the legislature has the constitutional authority to enact any law designed to accomplish objects of legislation suggested in the call (11 OAG 249). As stated by Lieutenant Governor Thomas J. O'Malley, presiding during the 1933 Special Session of the Wisconsin Legislature:

The general doctrine ... is clear, namely that the legislature may deal only with the subjects included in the Governor's call, but may deal with them in any manner that it sees fit, and not merely in the manner suggested by the Governor. (1933 Special Session Senate Journal 77)

Vetoes. The governor's power to veto special session bills is the same as that for regular session bills, including partial vetoes of bills containing appropriations. Prior to 1974, the legislature would adjourn a special session *sine die* (to adjourn *sine die*, that is "without a day" set for reconvening, means that, in effect, the legislative body abolishes itself) with no plans for reconvening, which had the consequence of investing the governor with absolute veto power because there was no opportunity for legislative review. This procedure changed with the adjournment resolution of the April 1974 Special Session which provided that the special session could "reconvene upon the call of a majority of the members of the joint committee on legislative organization," thereby permitting the review and potential override of a gubernatorial veto. (For a list of vetoed special session bills, see *Wisconsin Blue Book* table "Wisconsin Legislative Sessions.")

Legislative Organization and Procedures

The constitution does not prescribe how a special session should be conducted. Procedures have evolved over time and are now governed by legislative rules and practice. Assembly Speaker Robert D. Haase discussed the manner in which each special session is distinct from any other regular or special session held by the same legislature:

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 ... must be placed before the legislature in the proper form of a bill, joint resolution or resolution, introduced in that special session ... [and] identified by the words "SPECIAL SESSION". A special session ... 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 ... On the other hand, a special session of the Wisconsin legislature is not a "new session" in the sense that it would require a new oath

of office of its members or officers ... [A] special session is a "new session" in the sense that it is entirely separate in all its particulars from the regular session of the same legislature... (1963 Special Session Assembly Journal 14-16)

For much of the state's history, legislatures met in regular session for only a few months and then adjourned *sine die*. This meant the legislature had to reorganize itself every time a special session was called, requiring considerable effort each time to elect new officers, assign seats, and establish procedural rules. These problems were overcome when a constitutional amendment was ratified in April 1968 to permit the legislature to meet "at such time as shall be provided by law." This continuous scheduling makes it unnecessary to reorganize for special sessions. Today committee assignments and elected officers of the houses carry over into the special session.

Special Session Rules. All regular session joint rules apply to special sessions unless specifically modified by the senate and assembly. Each body may amend its own rules. The 2013 Senate Rule regarding special sessions, which is similar to the companion rule, Assembly Rule 93, reads:

SENATE RULE 93. **Special or extraordinary sessions.** Unless otherwise provided by the senate for a specific special or extraordinary session, the rules of the senate adopted for the biennial session, with the following modifications, apply to each special session called by the governor and to each extraordinary session called by the senate and assembly organization committees or called by a joint resolution approved by both houses:

(1) Except as provided in sub. (1d), a proposal or amendment may not be considered unless it accomplishes the special purposes for which the special session was convened or the business specified in the action authorizing the extraordinary session. Notwithstanding rule 46 (6), any proposal that is adversely and finally disposed of for the biennial session may be revived by specific inclusion in the action authorizing an extraordinary session, provided that the proposal had not failed a vote of concurrence or passage in the senate. Any proposal revived under this subsection is considered to be at the same stage of the proceedings as it had attained upon being adversely and finally disposed of.

(1d) Resolutions offering commendations, congratulations, or condolences, memorializing congress or an individual, or affecting senate or legislative rules or proceedings are declared not to be within the meaning of the term "business" under the constitutional provision limiting the matters to be considered during special sessions to those enumerated by the governor's call for a special session. All such matters may be considered during any extraordinary session.

(1p) A senate proposal may not be considered unless it is recommended to be introduced, offered, or considered by the committee on senate organization, the senate committee on finance, the joint committee on finance, the joint committee on legislative organization, or by the joint committee on employment relations.

(2) A notice of a committee meeting is not required other than posting on the legislative bulletin board, and a bulletin of committee hearings may not be published.

(3) The daily calendar is in effect immediately upon posting on the legislative bulletin boards. The calendar need not be distributed.

(4) Any point of order shall be decided within one hour.

(5) A motion may not be entertained to postpone action to a day or time certain.

(6) Any motion to advance a proposal and any motion to message a proposal to the assembly may be adopted by a majority of those present and voting.

During regular sessions, any member or committee of the legislature may offer proposals for introduction. However, during a special session, legislation may be introduced only by committees authorized by the rules, including the committees on organization, finance, and employment relations.

Special Session Documents and Bills. Under current practice, each bill originating in a special session is clearly identified with the month and year of the special session and a sequential number. If enacted, it is numbered within the sequence of all laws passed during the biennium. For example, the law which related to funding a new baseball park for the Milwaukee Brewers was September 1995 Special Session Assembly Bill 1, but it was designated 1995 Wisconsin Act 56 after it passed. Joint Rule 79 specifies the treatment of legislative documents for regular and special sessions within a single biennium as follows:

JOINT RULE 79. Biennial record continuity; special sessions. For each biennial session, the chief clerks of the 2 houses and the legislative reference bureau shall, and the offices of the governor and secretary of state are requested to, treat the legislative documents of the regular session and of any special sessions convened by the governor during that biennial session in the following manner:

(1) **DRAFTING REQUESTS.** The legislative reference bureau shall number all drafting requests received by it in a continuing sequence throughout each biennial session. Separate sequences may be used to distinguish proposals, substitute amendments, simple amendments to proposals other than the budget bill, floor amendments to proposals, and drafts for incorporation into the budget bill or any amendments thereto.

(2) **BILL JACKETS.** When jacketing drafted proposals for consideration in a special session, the legislative reference bureau shall identify each page of the draft, and, except as otherwise provided in joint rule 54 (2m), identify the bill jacket, by month in which a specific special session begins.

(3) **PROPOSALS.** For each special session, the chief clerks shall number the proposals in a new sequence, beginning with the number "1" for each type of proposal.

(4) **JOURNALS.** The daily journals for each special session shall be identified as journals of the legislature meeting in special session, but shall be filed in consecutive order, by date, together with the journals recording the action in regular session throughout the biennial session. When the legislature, at different times within a single day, conducts the business of the regular session as well as business under the governor's special session call, the actions may be recorded in a single journal for that day but actions under the special session call shall be clearly identified as actions of the legislature meeting in special session.

(5) **BULLETIN OF PROCEEDINGS.** The history of legislative action on all proposals introduced or offered in special sessions shall be published in a single chapter for each special session, at the end of the senate and assembly parts of the bulletin of proceedings. In the subject and author indexes of the index to the bulletin of proceedings, special session legislation shall be indexed, together with regular session legislation, into a single subject-heading and author-heading-sequence.

(6) **WISCONSIN ACTS.** The office of the governor is requested and the chief clerks of the senate and assembly are directed to number all Wisconsin Acts enacted throughout a single biennial session, whether enacted in regular or in special session, into a single consecutive act number sequence.

Meeting Days and Length of Special Sessions. Special sessions often meet on the same day as regular session meetings, although a substantial number of these meetings are of the “skeleton” variety, attended by only a few legislators and immediately adjourned to a future date. Over the years, special sessions have varied in length from one day to more than 14 months.

III. EXTRAORDINARY SESSIONS

In contrast to a special session, which is called by the governor, an extraordinary session is initiated by the legislature. The legislature adopted a joint rule in 1977 permitting the call for an extraordinary session during a committee work period or after the expiration of the last scheduled floorperiod. An extraordinary session may meet concurrently with a special session called by the governor. A complete listing of extraordinary sessions appears in the Appendix.

According to Joint Rule 81 (2) (a), an extraordinary session may be authorized in one of three ways: 1) at the direction of a majority of the members of the committee on organization in each house; 2) by the passage of a joint resolution approved by a majority of the elected membership in each house (not merely those present to vote); or 3) by the joint petition of a majority of the members elected to each house.

The rule states that action in the extraordinary session is limited to the business specified in the call by which it was authorized. Unlike the governor who can only specify subject areas to be covered in a special session, the legislature in calling an extraordinary session may designate specific pieces of legislation for the session agenda.

If the extraordinary session takes place before the conclusion of the final general floorperiod, the legislature is free to introduce new bills or consider previously introduced bills. After the final general business floorperiod ends, new bills may be introduced, but bills previously introduced must first be revived by joint resolution of the houses before they can be considered. Action by either of the two houses on existing bills that are revived carries over. For example, in a June 1994 extraordinary session, called after the last general floorperiod, the legislature passed a joint resolution to take up a constitutional amendment that would have allowed a sports lottery.

The legislature may also supplement the extraordinary session call in order to conduct additional business. As in a special session, the legislature has complete discretion over what legislation, if any, will be enacted in an extraordinary session.

A typical example of expansion of an extraordinary session call occurred during the session convened on April 14, 1992, by the Assembly and Senate Committees on Organization to consider congressional and legislative redistricting. The purpose of the extraordinary session was subsequently expanded twice. On May 18, the organization committees moved to include the ratification of state employee collective bargaining contracts, and on May 20 the call was further extended to juvenile justice issues and the applicability of the open records laws to candidates for certain public offices or positions.

Following the call of an extraordinary session, bills germane to the subject area(s) identified in the call may be introduced by the following committees: the Joint Committee on Employment Relations, the Joint Committee on Legislative Organization, the committee on

organization for either house, or any other committee of either house authorized to do so by the rules of that house.

IV. APPENDIX

TABLE 1: SPECIAL SESSION CALLS, 1848-2014

Session	Month	Purposes
1861	May	Civil War powers.
1862	September	Militia organization and administration; soldier's right to vote; Indian uprising
1878	June	Revision of general statutes, tornado damage.
1892	June	Legislative apportionment.
1892	October	Legislative apportionment.
1896	February	Legislative apportionment.
1905	December	Railroad regulation, primary election law.
1912	April	Black River Falls flooding.
1916	October	Absentee voting by soldiers.
1918	February	War economy.
1918	September	Reserve officers training facilities.
1919	September	Soldiers rehabilitation funds.
1920	May	Cost of living, medical education, educational standards.
1922	March	Income tax administration.
1926	April	Indemnities for cattle with tuberculosis.
1928	January	Appropriations for state colleges and public welfare.
1928	March	Appropriations of charitable and penal institutions.
1931	November	Unemployment, apportionment.
1933	December	Prohibition repeal, operation of banks and delinquent banks, extension of property tax payment deadline, Milwaukee County circuit court, drainage districts, reimbursement of Firemen's Association, student loans, school district administration, public deposits.
1937	September	Economic emergency relief, tax revisions, highway safety, agricultural marketing, creation of a Department of Commerce, old-age assistance, chain stores, unfair trade practices, housing programs, government reorganization, Milwaukee school tax levy, employment of minors.
1946	July	Rent control, veterans housing, state personnel salaries and state government operation.
1948	July	Veterans housing.
1958	June	Unemployment compensation, general relief for poor, state residency, urban renewal.
1962	June	Legislative and congressional apportionment.
1963	December	Accelerated construction of state freeway system, additional courts, state purchase of Menominee Enterprise securities, constitutional amendment procedure.
1969	September	Urban problems, public welfare, state assistance to Marquette Medical School, revenues.
1970	December	Confirmation of appointments.

TABLE 1: SPECIAL SESSION CALLS, 1848-2014–Continued

Session	Month	Purposes
1972	April	Legislative apportionment, full train crew law, ratification of United States equal rights amendment, charge account usury, revisor’s bills.
1973	December	Emergency energy regulations, shared tax distribution.
1974	April	Budget review bill, merger of the University of Wisconsin and the state universities, campaign finance reform, power plant siting, supplemental required benefits for teachers, youthful offenders program, reorganization of the Department of Transportation, cable television, studded tires.
1974	November	Collective bargaining agreements for state employees.
1975	December	Reorganization of the Department of Transportation, presidential primary, power of condemnation for VTAE districts, collective bargaining agreements for state employees.
1976	May	Unemployment compensation.
1976	June	Open meetings law, influenza immunization, recodification of mental health laws, taxpayer funding of election campaigns, creation of a council on migrant labor.
1976	September	Collective bargaining agreements for state employees, agricultural water diversion permits.
1977	June	Partial vetoes.
1977	November	State personnel procedures, driving under the influence of intoxicants, confirmation of appointments.
1978	June	Various changes concerning the courts, veterans home loan program.
1978	December	Confirmation of appointments, special election laws.
1979	September	Collective bargaining agreements for state employees, salary adjustments for elected state officials, open presidential primary.
1980	January	Felonies committed with a dangerous weapon, constitutional amendment to deny release on bail, mandatory minimum sentences, restricting probation and parole.
1980	June	Executive branch reorganization, denying bail, low and moderate income neighborhood investment and home ownership program.
1981	November	Soil and water conservation, school cost controls, gift and estate taxes, property tax credit, veterans trust fund, usury laws.
1982	April	State finances, constitutional amendment to earmark sales tax for school property tax relief, unemployment compensation, legislative apportionment.
1982	May	Judicial salaries, relief for needy Indian persons, early retirement for state employees, Milwaukee prison site.
1983	January	Sales and cigarette taxes, special elections, delay of budget submission.
1983	April	Unemployment compensation.
1983	July	Legislative apportionment, tax incremental finance joint review board, confirmation of appointments, consideration of vetoes, nonrepresented state employee compensation plan.
1983	October	Wisconsin Housing Finance Authority, trade office, permit information center, rulemaking for small businesses, utility holding companies.
1984	February	State property tax relief, reducing surtaxes.

TABLE 1: SPECIAL SESSION CALLS, 1848-2014-Continued

Session	Month	Purposes
1984	May	Group deer hunting, domestic abuse, nursing home payroll record inspection, financial assistance for septic systems.
1985	March	Emergency loan processing centers, animal waste pollution, Wisconsin Housing and Economic Authority agricultural production loans.
1985	September	Strategic planning council, water diversion, funding for business development, UW tuition and fall start date, education and employment projects, utility diversification.
1985	October	Alcohol beverage laws.
1985	November	Collective bargaining agreements for state employees; Martin Luther King, Jr., holiday.
1986	January	Appropriations, homestead tax relief.
1986	March	Higher Educational Aids Board, alcohol fuels, farm credit mediation and arbitration, Wisconsin Housing and Economic Development Authority agricultural loans, specialty crop cultivation.
1986	May	Raising legal drinking age to 21, UW-Madison indoor athletic practice facility, Patients Compensation Fund, cocaine penalties, mandatory vehicle insurance, intoxicated driving penalties.
1986	July	Labor training program, highway improvements.
1987	September	Corporate hostile takeovers.
1987	November	Homestead tax credit and farmland preservation credit, Aid to Families with Dependent Children employment and training programs, obscenity, parole and probation for crimes punishable by life imprisonment, spearfishing law enforcement aids, school tax credit, Wisconsin Retirement System, local property tax levy limits, state and local expenditures, local government dispute settlement procedure.
1988	June	Drought relief, water diversion for agricultural purposes.
1989	October	Illicit controlled substances use, drug paraphernalia, drug courts, alcohol and drug abuse prevention and treatment, and judge substitution in criminal drug cases; correctional institutions, probation, and parole; expansion of farmland tax credit; vaccinations; ratification of union contract; state employee health insurance program, state employee reimbursement for damaged personal articles; lottery proceeds and school tax credits; levy restraint payment to municipalities and counties; tort reform; lobbying and ethics code; economic development for 18 northern counties and Indian tribes; mutual aid law enforcement services, juvenile detention; business improvement loan guarantee program; technical assistance and grants to municipalities and tribal governing bodies; tourism promotion; spearfishing law enforcement aid.
1990	May	Ratification of state employee contracts.
1991	January	Crime control, minimum sentences for crimes involving dangerous weapons and controlled substances, gun-free school zones, concealed weapon penalties, drug paraphernalia.

TABLE 1: SPECIAL SESSION CALLS, 1848-2014–Continued

Session	Month	Purposes
1991	October	Education reform and administration: standards and testing, children-at-risk services, pupil database, extending the school year, staff development, grants for science and mathematics programs, postsecondary enrollment options program, community service work as part of the high school curriculum, school district consolidation incentives, truancy abatement and suppression, suspension and expulsion, pupil evaluation of teachers, pupil assessment.
1992	April	Restricting gambling conducted by the state, wagering on out-of-state simulcasts at pari-mutuel racetracks, grants for research on treatment of compulsive gambling.
1992	June	Consideration of a constitutional amendment to limit the state lottery.
1992	August	Confirmation of appointments, refinancing existing public debt.
1994	May	Controlled substance violations, paternity and child support, civil commitment of sexually violent persons, sex offender registration and notice of release.
1994	June	Testing criminal defendants for HIV infection, regulation of the telecommunications industry, county and district fair aids, confirmation of an appointment.
1995	January	Ratification of a state employee labor contract.
1995	September	Creation and financing of local professional baseball park districts and sports and recreation home stadia, funding for state highway rehabilitation.
1998	April	Criminal code and sentences, Milwaukee School District governance and administration, election law.
1999	October	School property tax relief.
2000	May	Property tax rent credit.
2001	May	Wetlands water quality.
2002	January	Budget reform legislation.
2002	May	Chronic Wasting Disease in deer and hunting laws.
2003	January	Budgetary matters.
2005	January	Public debt to finance tax-supported or self-amortizing facilities.
2006	February	Low-income energy assistance.
2007	January	Creating a Government Accountability Board and laws relating to elections, ethics, and lobbying regulations.
2007	October	State finances and appropriations relating to the 2007 budget act.
2007	December	Campaign financing and various election-related laws.
2008	March	State finances and appropriations.
2008	April	Great Lakes-St. Lawrence River Basin water issues.
2009	June	Hospital assessment and medical assistance.
2009	December	General public school district curriculum and administration and governance and administration of the Milwaukee Public School District.
2011	January	Creation of Wisconsin Economic Development Corporation, various tax and business development-related matters, administrative rules issues, limiting non-economic damages awards in certain lawsuits, the Budget Repair Bill, regulation of telecommunications utilities.

TABLE 1: SPECIAL SESSION CALLS, 1848-2014–Continued

Session	Month	Purposes
2011	September	Early state seed and angel investment tax credits and other business, agricultural, and community development and taxation matters; multi-jurisdictional tax incremental financing districts; wetlands, habitat, and navigable waterways matters; Department of Revenue duties; vocational and technical skills education; individual income taxes relating to medical care and mass transit expenses; seasonal vehicle weight limits for transporting agricultural crops and other laws relating to overweight and overlength vehicles; attorney fees; immunity from liability for certain drug and device manufacturers; trespassing, interest rates on judgments in certain civil actions.
2013	October	Property tax relief to certain school districts; municipal tax incremental financing districts; historic preservation tax credits.
2013	December	Effective dates of BadgerCare and the Health Insurance Risk-Sharing Plan.
2014	January	Various employment-related technical training and workforce education.

Additional special session data. The *Wisconsin Blue Book* (available at <http://legis.wisconsin.gov/lrb/>) contains a table titled: “Wisconsin Legislative Sessions,” which, by session, including special sessions, lists starting and ending dates, the number of days on which each house of the legislature met during the session, the number and type (bill or resolution) of legislation introduced during the session, and the number of bills enacted, vetoed, or overridden in the session.

TABLE 2: EXTRAORDINARY SESSION CALLS

Session	Month	Principal Subject of Original and Subsequent Calls
1980	January	Crime and crime victims; energy conservation; firearms.
1981	December	Redistricting; collective bargaining contracts.
1987	September	Partial vetoes of budget bill; budget; retirement; taxes and property tax relief; collective bargaining contracts; retirement; food assistance; mediation-arbitration; drought relief; limiting governor’s partial veto powers.
1989	May	Collective bargaining contracts; property tax relief; state compensation plan; general relief.
1991	April	Congressional and legislative redistricting; collective bargaining contracts; juvenile detention; open records law relating to candidates for public offices or positions.
1993	June	Sports lottery.
1998	April	Various legislative business, including election of officers; ratification of state employee contracts; budget review legislation; consideration of revival of certain regular session proposals; and gubernatorial nominations for appointment.
2000	May	Ratification of state employee collective bargaining contracts; consideration of revisor correction bills; consideration of a reconciliation bill relating to public debt limit for housing state department and agencies.
2003	February	Consideration of Senate Bill 41, relating to legislative approval of Indian gaming compacts; consideration of gubernatorial veto.
2003	July	Consideration of Assembly Bill 88, relating to lowering the prohibited alcohol concentration in drunk driving to .08; Senate Bill 77, relating to promissory notes issued by the city of Milwaukee to pay for unfunded prior service liability contributions under the Wisconsin Retirement System.

TABLE 2: EXTRAORDINARY SESSION CALL-CONTINUED

Session	Month	Principal Subject of Original and Subsequent Calls
2003	August	Gubernatorial veto of Senate Bill 44, the biennial budget bill; Assembly Bill 466, relating to school district revenue limits and levy limits for cities, villages, towns, counties, and technical college districts.
2003	December	Assembly Bill 544 and Senate Bill 313, both relating to various subjects including zoning, navigable waters, and public utilities; various other bills.
2004	March	Consideration of various bills.
2004	May	Adopting federal law as it relates to health savings accounts for state income tax purposes; Medical Assistance Program and Community Aids Program funding; require approval of Indian gaming compacts by the Joint Committee on Legislative Organization and the legislature.
2004	July	School and local government funding and spending.
2005	July	Ratification of state employee collective bargaining contracts; paid vacation leave for certain nonrepresented state employees.
2006	April	Consideration of various bills.
2009	February	State finances and appropriations; diverse changes in the statutes.
2009	May	Assembly Bill 255 and Senate Bill 189, both relating to various topics including unemployment insurance benefits, confidentiality of pupil records, and residential energy improvement programs.
2009	June	Senate Bill 232, relating to the payment of state school aid in June 2009.
2009	December	Senate Bill 66, relating to operation of a motor vehicle while under the influence of an intoxicant; state employee collective bargaining contracts.
2011	June	Consideration of Senate Bill 40 and Assembly Bill 27, both relating to the biennial budget act.
2011	July	Consideration of various bills.

Sources: *Bulletin of the Proceedings of the Wisconsin Legislature*; Senate and Assembly Journals.

TABLE 3: SELECTED WISCONSIN SUPREME COURT DECISIONS AND ATTORNEY GENERAL OPINIONS ON SPECIAL SESSIONS

Cite	Year	Topic
Supreme Court Cases		
207 Wis. 652	1935	The court ruled that a call’s scope may be broadly interpreted by the legislature (<i>State ex rel. Madison v. Industrial Commission</i>).
44 Wis. 2d 300	1969	The governor may call a special session at any time, including when the legislature is meeting in regular session (<i>State ex rel. Groppi v. Leslie</i>).
Opinions of the Attorney General		
7 OAG 49	1918	Governor may amend the call to include new subjects or issue a new call for the same time.
8 OAG 663	1919	Resolutions expressing opinions are not “business” and are permitted during the special session, even though subject is not in the call.
11 OAG 249	1922	Although the call specifies in minute detail the laws which the governor wishes enacted, the legislature retains its legislative independence in carrying out the objectives of the call. Question of germaneness answered.

TABLE 3: SELECTED WISCONSIN SUPREME COURT DECISIONS AND ATTORNEY GENERAL OPINIONS ON SPECIAL SESSIONS—CONTINUED

Cite	Year	Topic
15 OAG 163	1926	The scope of the call relates to making an emergency appropriation and cannot be extended to amending details of the program's administration.
17 OAG 166	1928	Joint resolution does not have force of law and cannot be substituted for a bill.
17 OAG 171	1928	The legislature is permitted under the scope of the call to adjust the amount of the emergency appropriation requested in the call, but it may not consider the regular appropriation for the fiscal year. It may finance the emergency appropriation through existing and legally available funds or by passing new revenue measures.
17 OAG 181	1928	The scope of the call is for an appropriation of new emergency funding. Transfer of funds already appropriated is not within the call.
20 OAG 1115	1931	If the call is "to amend and revise" a specific statutory section, the legislature may exercise broad authority in dealing with that section.
20 OAG 1241	1931	A bill to postpone the payment of real estate taxes exceeded the scope of the special session call to aid the unemployed because it also provided relief to numerous employed persons.
23 OAG 65	1934	A joint resolution to amend the constitution is legislation, not an expression of opinion, and cannot be considered if not included in the call.
37 OAG 374	1948	The manner of calling special session and form of notice are at governor's discretion. The call may be issued in person, by mail, or by telephone or telegraph.
51 OAG 1	1962	The governor may call a special session while the legislature is between general sessions and not assembled, although the legislature in technical terms is considered "in session" because there has been no <i>sine die</i> adjournment.

Sources: Wisconsin Department of Justice, *Index Digest to Opinions of the Attorney General*, 1990; *Opinions of the Attorney General*, various volumes. *Wisconsin Reports*, various volumes.

Selected Legislative Reference Bureau Publications

These and other LRB publications are available at www.legis.state.wi.us/lrb/pubs

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- RB-04-1 Wisconsin Legislative District Almanac. April 2004
- RB-06-2 Issues in Administering the Death Penalty. October 2006
- RB-12-1 Summary of the 2011-2012 Wisconsin Legislative Session. May 2012
- RB-14-1 Summary of the 2013-2014 Wisconsin Legislative Session. May 2014

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- IB-11-1 Guidelines for Adjusting Municipal Wards Following the 2010 Federal Census. March 2011
- IB-12-1 Wisconsin's Role in Electing the President. March 2012
- IB-12-2 The Evolution of Legalized Gambling in Wisconsin. November 2012
- IB-12-3 2013 Legislative Session Fiscal Estimate Manual. December 2012
- IB-12-4 Ask the LRB. December 2012
- IB-13-1 Study Guide to the 2013-14 Wisconsin Blue Book. September 2013
- IB-13-2 Inside the 2013-2014 Wisconsin Blue Book. September 2013
- IB-14-1 Tenure, Turnover, and Reelection in the Wisconsin Legislature, 1940 – 2012. May 2014
- IB-14-2 Special and Extraordinary Sessions of the Wisconsin Legislature. August 2014

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- Brief 12-1 Initiative, Referendum, and Recall in Wisconsin. April 2012
- Brief 12-2 Executive Vetoes of Bills Passed by the 2011 Wisconsin Legislature from January 11, 2011, to April 20, 2012 (Except the 2011 Executive Budget Bill). April 2012
- Brief 12-3 Concealed Carry and Firearms Laws in Wisconsin. May 2012
- Brief 12-4 State Agencies, Boards, Commissions, or Councils Created, Repealed, or Revised by the 2011 Legislature – 2011 Wisconsin Acts 1-286. June 2012
- Brief 12-5 Executive Budget Bills Enacted by the Wisconsin Legislature, 1931-2011. July 2012
- Brief 12-8 Wisconsin Farm to School. October 2012
- Brief 12-9 Wisconsin State Officers. November 2012
- Brief 12-10 Genetically Modified Crops. December 2012
- Brief 12-11 Salaries of State Elected Officials, Effective January 2013. December 2012
- Brief 13-1 Brief Biographies 2013 Wisconsin Officers. January 2013
- Brief 13-2 Profile of the 2013 Wisconsin Legislature, January 7, 2013. January 2013
- Brief 13-3 Wisconsin Women Legislators – A Historical List. January 2013
- Brief 13-4 Constitutional Amendment Given “First Consideration” Approval by the 2011 Wisconsin Legislature. January 2013
- Brief 13-5 Statutory Misdemeanors in Wisconsin. April 2013
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- Brief 14-2 Online Privacy – Social Media, E-Mail Warrant Search, and Customer Data. March 2014
- Brief 14-3 Voice Voting in the Wisconsin Legislature. April 2014
- Brief 14-4 State Restrictions on Abortion: Admitting Privileges at Issue. April 2014
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- Brief 09-1 Indoor Smoking Ban in Wisconsin. May 2009
- Brief 10-1 Human Growth and Development Instruction – 2009 Act 134. March 2010
- Brief 10-2 Increased Penalties and Ignition Interlock Requirements for Drunk Driving Offenses. April 2010
- Brief 10-3 Payday Loans – 2009 Wisconsin Act 405. November 2010
- Brief 11-1 Local Redistricting Readjustment. August 2011
- Brief 11-2 Earn-a-Buck Repeal and Hunting Season Regulations – 2011 Act 50. December 2011
- Brief 12-1 Reporting Child Abuse or Neglect. March 2012
- Brief 12-2 Earmark Transparency – 2011 Wisconsin Act 220. October 2012