

LEGISLATIVE REFERENCE BUREAU

Special Sessions of the Wisconsin Legislature

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Introduction

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 111 times.¹ The most recent special session was the September 2023 Special Session, called by Governor Tony Evers to consider legislation to address Wisconsin’s workforce challenges.²

This publication 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. The publication concludes with three informational tables related to special sessions.

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.³ The Wisconsin Supreme Court has affirmed that special and extraordinary sessions may be convened at any time throughout the legislative biennium.⁴ 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 floorperiod ends. Unlike an extraordinary session, which is initiated by members of the

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–Jan. 9, 1963.

2. [2023 Exec. Order No. 208](#).

3. For a recent discussion of extraordinary sessions, see Madeline Kasper, “Extraordinary Sessions of the Wisconsin Legislature,” *Reading the Constitution* 8, no. 1 (Madison, WI: Legislative Reference Bureau, Dec. 2024).

4. *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.

legislature or legislative committees, a special session is called for and directed by the governor.

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.⁵

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. Haase 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.⁶

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,

5. See table 2 for attorney general opinions that have shaped the rules and procedures governing special sessions. 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.”

6. Wis. Assembly Journal (1963) 14–16.

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.⁷

Since 1983, governors have issued special session proclamations via executive order.⁸ 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.⁹ Within the last 15 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.¹⁰ Governor Evers's order for the September 2023 Special Session, shown on page 22, is an example of this current format for a special session call.

Identifying a special session call by LRB draft numbers can result in some ambiguity

7. 7 Wis. Op. Att'y Gen. 49, 49-50 (1918).

8. Governor Anthony Earl issued [1983 Exec. Order No. 32](#), calling for a special session focusing on a variety of policy topics.

9. See, for example, [2008 Exec. 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."

10. See [2001 Exec. Order No. 7](#), which called for a special session to consider and act upon LRB-3092/8. LRB numbers are identifiers used by the LRB for drafted bills that have not yet been introduced.

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 report.¹¹ 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.¹²

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.¹³ 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

11. 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, Nov. 1996, 8.

12. See [2011 Exec. Order No. 1](#), the original call, and the four supplemental calls: [2011 Exec. Order No. 4](#), [2011 Exec. Order No. 14](#), [2011 Exec. Order No. 25](#), and [2011 Exec. Order No. 33](#).

13. Wis. Stat. § [13.02](#). See [2023 Senate Joint Resolution 1](#).

means that when a special session is convened, each house already has a body of rules in force.¹⁴

However, there are also a number of rules that specifically apply only during special and extraordinary sessions.¹⁵ During a special session, any newly introduced proposals are numbered specifically as special session proposals.¹⁶ 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.¹⁷ 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.”¹⁸ 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.¹⁹ Special session

14. [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.

15. [Senate Rule 93](#); [Assembly Rule 93](#).

16. [Joint Rule 79 \(3\)](#).

17. 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.

18. [Joint Rule 81 \(2\) \(c\)](#).

19. [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.

legislation is often introduced by these committees “by request of” the governor.²⁰ 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.²¹

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.²² 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.²³

Other modifications affect floor debate during special sessions. For example, both houses prohibit motions to postpone proposals.²⁴ 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.²⁵ During special session in the assembly, in almost all cases, motions to reconsider must be taken up immediately.²⁶ In the senate, any point of order must be decided within an hour.²⁷ 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.²⁸ 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 commit-

20. See [January 2020 Special Session Assembly Bill 1](#), “Introduced by Committee on Assembly Organization, by request of Governor Tony Evers.”

21. See [2019 Exec. Order No. 54](#), [2020 Exec. Order No. 69](#), [2020 Exec. Order No. 84](#), [2021 Exec. Order No. 116](#), [2021 Exec. Order No. 127](#), [2022 Exec. Order No. 156](#), [2022 Exec. Order No. 168](#), and [2022 Exec. Order No. 175](#).

22. [Senate Rule 93 \(2\)](#); [Assembly Rule 93 \(3\)](#).

23. [Senate Rule 93 \(3\)](#); [Assembly Rule 93 \(4\)](#).

24. [Senate Rule 93 \(5\)](#); [Assembly Rule 93 \(5\)](#).

25. [Senate Rule 93 \(6\)](#); [Assembly Rule 93 \(7\)](#).

26. [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.

27. [Senate Rule 93 \(4\)](#).

28. [Senate Rule 93 \(intro.\)](#); [Assembly Rule 93 \(intro.\)](#).

tees 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.²⁹

Per longstanding legislative custom and practice, special sessions may be held concurrently with regular session floorperiods 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 court.³⁰

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.³¹ 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.³² 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.³³

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

29. Wis. Senate Journal (Apr. 2020) [820](#); Wis. Assembly Journal (Apr. 2020) [746–47](#).

30. State *ex rel.* Groppi v. Leslie, 44 Wis. 2d 282, 300 (1969).

31. Senate Rule 15, 85 (6); Assembly Rule 30 (3).

32. See, for example, [2023 Senate Joint Resolution 1](#) § 1 (5) (a).

33. See, for example, [2023 Senate Joint Resolution 1](#) § 1 (5) (c).

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.³⁴ 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.³⁵ 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."³⁶ 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.³⁷

34. 11 Wis. Op. Att'y Gen. 249 (1922).

35. 20 Wis. Op. Att'y Gen. 1241, 1242 (1931).

36. *State ex rel. Madison v. Industrial Commission*, N.W. 207 Wis. 652, 660 (1932).

37. *Madison*, N.W. 207 Wis. 652, 658.

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 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.”³⁸ 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 and a half, 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.³⁹ 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 the original version of Wisconsin’s 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

38. *Van Dyke v. Wis. Tax Comm'n (In re Van Dyke)*, 217 Wis. 528, 542 (1935).

39. The most recent example is Governor Evers’s special session call for Sept. 20, 2023. See [2023 Exec. Order No. 208](#).

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."⁴⁰

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*.⁴¹ 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.⁴² 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 2024, there were a total of 84 special sessions called by the gov-

40. *State ex rel. Groppi v. Leslie*, 44 Wis. 2d 282, 300 (1969).

41. 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).

42. *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).

error—which averages out to about eight every five years. This was a dramatic increase in the number of special sessions. Moreover, of these 84 special sessions, 54 were called before the legislature had adjourned its last general-business floorperiod. 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 floorperiod.⁴³ 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 2024, 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 table 3, 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 2024, 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 table 1 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,

43. For a discussion of extraordinary sessions, see Madeline Kasper, “Extraordinary Sessions of the Wisconsin Legislature,” *Reading the Constitution* 8, no. 1 (Madison, WI: Legislative Reference Bureau, Dec. 2024), <https://docs.legis.wisconsin.gov>. 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.

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.⁴⁴ While the governor may call special sessions, the legislature need not respond. In the September 2023 Special Session, the legislature replaced Governor Evers's workforce bill with a substitute amendment that had very little resemblance to what he had proposed. Governor Evers went on to veto the bill in full.⁴⁵ As an agenda-setting tool, the governor's special session power may have lost its vitality.

This report 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. ■

44. The June 2009 Special Session and the Mar. 2018 Special Session.

45. Veto message, [September 2023 Special Session Senate Bill 1](#) (Nov. 20, 2023).

Table 1. Special sessions of the Wisconsin Legislature, 1848–2024

Special session ¹	Dates	Calendar days ²	Meeting days ³		Measures introduced			Bills vetoed ⁴	Laws enacted
			Senate	Assembly	Bills	Joint res.	Res.		
1861 May	5/15–5/27	13	11	11	28	24	34	—	15
1862 Sept	9/10–9/26	17	15	15	43	25	37	—	17
1878 June	6/4–6/7	4	4	4	6	14	10	—	5
1892 June	6/28–7/1	4	4	4	4	7	16	—	1
1892 Oct	10/17–10/27	11	9	9	8	6	14	—	2
1896 Feb	2/18–2/28	11	8	8	3	11	15	—	1
1905 Dec	12/4–12/19	16	12	14	24	15	26	—	17
1912 April	4/30–5/6	7	6	6	41	7	6	—	22
1916 Oct	10/10–10/11	2	2	2	2	8	4	—	2
1918 Feb	2/19–3/9	19	14	14	27	22	28	2	16
1918 Sept	9/24–9/25	2	2	2	2	6	9	—	2
1919 Sept	9/4–9/8	5	4	3	7	4	6	—	7
1920 May	5/25–6/4	11	7	7	46	10	22	2	32
1922 March	3/22–3/28	7	4	4	10	7	12	1	4
1926 April	4/15–4/16	2	2	2	1	8	12	—	1
1928 Jan	1/24–2/4	12	9	8	20	35	23	—	5
1928 March	3/6–3/13	8	6	6	13	9	17	—	2
1931 Nov	11/24/31–2/5/32	74	48	42	99	93	83	2	31
1933 Dec	12/11/33–2/3/34	55	30	34	45	160	53	—	20
1937 Sept	9/15–10/16	32	23	23	28	18	23	—	15
1946 July	7/29–7/30	2	2	2	2	6	14	—	2
1948 July	7/19–7/20	2	2	2	—	5	11	—	—
1958 June	6/11–6/13	3	3	3	3	7	13	—	3
1963 Dec	12/10–12/12	3	3	3	8	10	10	—	3
1969 Sept ⁵	9/29/69–1/17/70	111	28	18	5	5	8	—	1
1970 Dec	12/22	1	1	1	—	1	5	—	—
1972 April	4/19–4/28	10	5	6	9	4	4	—	6
1973 Dec	12/17–12/21	5	5	5	3	2	6	—	2
1974 April	4/29–6/13	46	17	20	12	1	4	—	6
1974 Nov	11/19–11/20	2	2	1	2	—	—	—	1
1975 Dec	12/9–12/11	3	3	3	13	1	2	1	6
1976 May	5/18	1	1	1	2	2	3	—	1
1976 June	6/15–6/17	3	3	3	13	4	3	—	9
1976 Sept	9/8	1	1	1	4	1	4	—	2
1977 June	6/30	1	1	1	0	1	2	—	—
1977 Nov	11/7–11/11	5	5	5	6	4	2	—	5
1978 June	6/13–6/15	3	3	3	2	5	2	—	2
1978 Dec	12/20	1	1	1	2	4	2	—	2
1979 Sept	9/5	1	1	1	10	3	2	—	5
1980 Jan	1/22–1/25	4	2	4	8	3	2	—	—
1980 June	6/3–7/3	31	13	12	20	14	2	—	7
1981 Nov	11/4–11/17	14	8	7	6	3	2	—	3
1982 April	4/6–5/20	45	18	21	4	2	2	1	1
1982 May	5/26–5/28	3	3	3	13	7	2	—	9

Table 1. **Special sessions of the Wisconsin Legislature, 1848–2024**, continued

Special session ¹	Dates	Calendar days ²	Meeting days ³		Measures introduced			Bills vetoed ⁴	Laws enacted
			Senate	Assembly	Bills	Joint res.	Res.		
1983 Jan	1/4–1/6	3	3	2	2	2	1	—	2
1983 April	4/12–4/14	3	3	3	1	1	—	—	1
1983 July	7/11–7/14	4	2	4	5	3	1	—	4
1983 Oct	10/18–10/28	11	8	7	12	1	—	—	11
1984 Feb	2/2–4/4	63	19	13	2	1	—	—	—
1984 May	5/22–5/24	3	3	2	12	5	1	—	11
1985 March	3/19–3/21	3	2	2	6	1	—	—	3
1985 Sept	9/24–10/19	26	11	7	22	1	—	—	17
1985 Oct	10/31	1	1	1	1	3	—	—	1
1985 Nov	11/20	1	1	1	24	2	—	—	12
1986 Jan	1/27–5/30	124	34	27	1	4	—	—	1
1986 March	3/24–3/26	3	3	3	1	1	—	—	1
1986 May	5/20–5/29	10	6	4	44	3	—	—	12
1986 July	7/15	1	1	1	3	1	—	—	2
1987 Sept	9/15–9/16	2	2	2	2	1	—	—	2
1987 Nov	11/18/87–6/7/88	203	44	42	19	3	—	3	5
1988 June	6/30	1	1	1	4	1	3	—	2
1989 Oct	10/10/89–3/22/90	164	52	49	52	6	—	—	7
1990 May	5/15/90	1	1	1	7	1	—	—	—
1991 Jan	1/29–7/4	157	49	52	16	1	—	—	2
1991 Oct	10/15/91–5/21/92	220	50	47	9	2	—	—	1
1992 April	4/14–6/4	52	20	17	7	1	2	—	2
1992 June	6/1	1	1	1	—	2	—	—	—
1992 Aug	8/25–9/15	22	7	7	1	1	—	2	1
1994 May	5/18–5/19	2	2	2	6	1	—	—	3
1994 June	6/7–6/23	17	8	8	3	4	—	—	3
1995 Jan	1/4	1	1	1	1	1	—	—	1
1995 Sept	9/5–10/12	36	12	13	1	1	—	—	1
1998 April	4/21–5/21	31	13	12	13	2	2	—	5
1999 Oct	10/27–11/11	16	7	8	3	1	—	—	1
2000 May	5/4–5/9	8	3	3	2	2	1	—	1
2001 May	5/1–5/3	3	1	2	1	—	—	—	1
2002 Jan	1/22–7/8	168	59	52	1	2	7	—	1
2002 May	5/13–5/15	3	3	2	2	—	—	—	1
2003 Jan	1/30–2/20	22	7	7	1	—	—	—	1
2005 Jan	1/12–1/20	9	4	1	2	—	—	—	1
2006 Feb	2/14–3/7	22	7	6	2	—	—	—	1
2007 Jan	1/11–2/1	22	7	6	2	1	—	—	1
2007 Oct	10/15–10/23	9	5	3	2	—	—	—	—
2007 Dec	12/11/07–5/14/08	156	38	39	1	1	—	—	—
2008 March	3/12–5/14	65	22	22	1	4	2	—	1
2008 April	4/17–5/15	29	11	11	1	4	2	—	1
2009 June	6/24–6/27	4	4	3	1	—	—	—	—
2009 Dec	12/16–3/4/10	79	23	24	2	—	—	—	—

Table 1. Special sessions of the Wisconsin Legislature, 1848–2024, continued

Special session ¹	Dates	Calendar days ²	Meeting days ³		Measures introduced				
			Senate	Assembly	Bills	Joint res.	Res.	Bills vetoed ⁴	Laws enacted
2011 Jan	1/4–9/27	267	84	80	27	1	3	—	12
2011 Sept	9/29–12/8	71	22	22	48	—	—	—	7
2013 Oct	10/10–11/12	34	10	10	8	—	—	—	4
2013 Dec	12/2–12/19	18	6	7	2	—	—	—	1
2014 Jan	1/23–3/20	57	17	16	4	—	—	—	2
2017 Jan	1/5–6/14	161	47	47	22	—	—	—	11
2017 Aug	8/1–9/15	46	14	15	2	—	1	—	1
2018 Jan	1/18–2/27	41	12	12	20	—	—	—	9
2018 March	3/15–3/29	15	6	5	6	—	—	—	—
2019 Nov	11/7	1	1	1	—	—	—	—	—
2020 Jan	1/28–4/14	78	23	23	16	—	—	—	—
2020 Feb	2/11–2/25	15	5	5	—	—	—	—	—
2020 April	4/4–4/8	5	3	3	—	—	—	—	—
2020 April II	4/7–4/8	2	2	2	—	—	—	—	—
2020 Aug	8/31–12/22	114	33	33	—	—	—	—	—
2021 Jan	1/19–2/23	36	11	11	2	—	—	—	1
2021 May	5/25	1	1	1	—	—	—	—	—
2021 July	7/27	1	1	1	—	—	—	—	—
2022 March	3/8	1	1	1	—	—	—	—	—
2022 June	6/22	1	1	1	—	—	—	—	—
2022 Oct	10/4	1	1	1	—	—	—	—	—
2023 Sept	9/20–11/16	58	18	17	1	—	—	1	—

Res.—resolution; —represents zero

1. Month listed is month that special session first convened pursuant to governor’s call. Since 1861 there have been 110 special sessions. The number of special session calls, which totals 111, includes one called by the governor to convene on 6/18/62. Because the legislature reconvened on that date in regular session under AJR-147, the legislature determined that there was no need to convene a special session. 2. Number of calendar days from opening date of the session to final adjournment. 3. Number of days on which the senate and assembly met, including skeletal sessions. 4. Partial vetoes not included. 5. The senate adjourned the special session 11/15/69; assembly 1/17/70.

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

Table 2. Selected attorney general opinions on special sessions

	Year	Topic
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.
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.

Table 2. Selected attorney general opinions on special sessions, continued

	Year	Topic
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 emergency appropriation of funds. Transfer of funds already appropriated, rather appropriation of new funds, 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.
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.

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

Table 3. Special session calls, 1848–2024

Special session	Main purpose
1861 May	Civil War powers.
1862 September	Militia organization; Soldiers’ right to vote; Indian uprising; Payment to military office employes.
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 for charitable and penal institutions.
1931 November	Unemployment; Apportionment.
1933 December	Prohibition repeal.
supplementary	Operation of banks.
supplementary	Extension of property tax payment deadline; Milwaukee County circuit court; Drainage districts; Reimbursement of Firemen’s Association; Student loans.

Table 3. Special session calls, 1848–2024, continued

Special session	Main purpose
supplementary	Banking operations.
supplementary	School districts; Public deposits; Delinquent banks.
1937 September	Economic emergency relief; Tax revisions; Highway safety.
supplementary	Agricultural marketing; Creation of a Department of Commerce; Old-age assistance; Chain stores; Unfair trade practices; Housing programs.
supplementary	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.
supplementary	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.
1972 April	Legislative apportionment.
supplementary	Full train crew law; Ratification of U.S. 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 retirement benefits for teachers; Youthful offenders program; Reorganization of Department of Transportation; Cable television; Studded tires.
supplementary	Supplemental retirement benefits for teachers.
1974 November	Collective bargaining agreements for state employees.
1975 December	Reorganization of 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.
supplementary	Creation of council on migrant labor; Clean election campaign fund.
1976 September	Collective bargaining agreements for state employees.
supplementary	Agricultural water diversion permits.
1977 June	Partial vetoes.
1977 November	State personnel procedures; Driving under the influence of intoxicants.
supplementary	Confirmation of appointments.
1978 June	Various changes concerning the courts.
supplementary	Veterans home loan program.
1978 December	Confirmation of appointments.
supplementary	Special election laws.
1979 September	Collective bargaining agreements for state employees; Salary adjustments for elected state officials.
supplementary	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	Denying bail; Executive branch reorganization; Low and moderate income neighborhood investment and home ownership program.

Table 3. **Special session calls, 1848–2024**, continued

Special session	Main purpose
1981 November	Soil and water conservation; School cost controls; Gift and estate taxes; Property tax credit; Veterans trust fund.
supplementary	Usury laws.
1982 April	State finances; Constitutional amendment to earmark sales tax for educational property tax relief.
supplementary	Unemployment compensation.
supplementary	Legislative apportionment.
1982 May	Judicial salaries; Relief for needy Indian persons; Early retirement for state employes.
supplementary	Milwaukee prison site.
1983 January	Sales and cigarette taxes; Special elections.
supplementary	Extension of budget introduction submission.
1983 April	Unemployment compensation.
1983 July	Legislative apportionment; Tax incremental finance joint review board.
supplementary	Confirmation of appointments; Consideration of vetoes.
supplementary	Nonrepresented classified state employe 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.
1984 May	Group deer hunting; Domestic abuse; Nursing home payroll record inspection.
supplementary	Financial assistance for septic systems.
1985 March	Emergency loan processing centers; Animal waste pollution; Wisconsin Housing and Economic Development 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 employes; 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.
supplementary	Highway improvements.
1987 September	Corporate hostile takeovers.
supplementary	Corporate hostile takeovers.
1987 November	Homestead tax credit and farmland preservation credit; AFDC employment and training programs.
supplementary	Obscenity; Parole and probation for crimes punishable by life imprisonment; Spearfishing law enforcement aids; School tax credit.
supplementary	Wisconsin Retirement System; Local property tax limits; Local government dispute settlement procedure.
supplementary	Wisconsin Retirement System; Limiting property tax levies and state and local expenditures; Local government dispute settlement procedures.
1988 June	Drought relief; Water diversion for agricultural purposes.
1989 October	Illicit drug use and alcohol abuse.

Table 3. **Special session calls, 1848–2024**, continued

Special session	Main purpose
supplementary	Controlled substances and drug paraphernalia, drug courts, judge substitution in criminal drug violations; Correctional institutions, probation, parole; Alcohol and drug abuse prevention and treatment.
supplementary	Expansion of farmland tax credit.
supplementary	Vaccinations, ratification of union contract.
supplementary	State employe health insurance program, and state employe reimbursement for damaged personal articles.
supplementary	Controlled substances; Lottery proceeds and school property tax credits; Levy restraint payment to municipalities and counties; Tort reform; Lobbying and the ethics code; Economic development for 18 northern counties and Indian tribes; Mutual aid law enforcement services; Juvenile detention.
supplementary	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 employe contracts.
1991 January	Crime control: minimum sentences for crimes involving dangerous weapons and controlled substance offenses, gun-free school zones, concealed weapon penalties, drug paraphernalia.
1991 October	Education reform: recommendations of the Commission on Schools for the 21st Century, statewide pupil achievement tests and minimum competency program, compliance with state education standards, children-at-risk services, a statewide pupil database.
supplementary	Education reform: extending the school year, staff development, school management restructuring, grants for science and mathematics programs, postsecondary enrollment options program, community service work as part of the high school curriculum, school district consolidation incentives, teacher exchange programs, 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 or the treatment of compulsive gambling.
1992 June	Consider a constitutional amendment to distinguish the state lottery from prohibited gambling, to limit "lottery", and to prohibit lottery expansion to other games.
1992 August	Confirmation of appointments.
supplementary	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, and regulation of the telecommunications industry.
supplementary	County and district fair aids.
supplementary	Confirmation of an appointment.
1995 January	Ratification of state employe labor contract.
1995 September	Local professional baseball park districts.
supplementary	Financing for local professional baseball park districts and sports and entertainment home stadia, and funding for state highway rehabilitation.
1998 April	Criminal code and sentences; Milwaukee Public Schools governance and administration; election law.
supplementary	Excluding agricultural transactions from provisions of the Wisconsin Consumer Act; DNR legislation; tax credits for sales paid on fuel and electricity used in manufacturing; food stamps for qualified aliens; changing requirements for organ donation requirements.
supplementary	Additional legislation related to Milwaukee Public Schools.
1999 October	Tax rebate; school property tax credit.
2001 May	Property tax relief.
2002 May	Wetlands water quality.

Table 3. Special session calls, 1848–2024, continued

Special session	Main purpose
2002 January	Budget reform legislation to address economic downturn.
2002 May	Chronic Wasting Disease in Wisconsin deer.
supplementary	Hunting regulations.
2003 January	Decreasing appropriations; lapsing monies from certain program revenue accounts to the general fund; transferring monies from segregated accounts to the general fund; increasing funding for out-of-state inmate contracts and for health care of state prison inmates; increasing funding for Medical Assistance and Badger Care; increasing funding for land acquisition and development under the stewardship program; restricting distribution of funds by the Tobacco Control Board; lapsing or reestimating expenditures from certain general purpose revenue appropriations; exempting legislative actions from the required general fund structural balance and statutory balance.
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; 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 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; and health savings accounts.
supplementary	Increasing the amount of credits under the economic development tax credit program.
supplementary	The Budget Repair Bill.
supplementary	Regulation of telecommunications utilities.
supplementary	LRB 2035/3 and LRB 2181/1.
2011 September	Early stage 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 judgment in certain civil actions.
2013 October	Property tax relief to certain school districts; municipal tax incremental financing districts; historic preservation tax credits.
2013 December	Delaying effective dates of BadgerCare and the Health Insurance Risk-Sharing Plan.
2014 January	Various employment-related technical training and workforce education.
2017 January	Legislation related to opioid abuse.
2017 August	Promotion of economic development and job retention.
2018 January	Legislation related to welfare reform.
2018 March	Legislation related to school security and safety.
2019 November	Legislation related to gun violence.
2020 January	Legislation related to farm relief.
2020 February	Legislation related to school aids.
2020 April	Provide for an all-mail spring election and special election due to COVID-19.
2020 April II	Set a new in-person voting date for the 2020 spring election due to COVID-19.

Table 3. Special session calls, 1848–2024, continued

Special session	Main purpose
2020 August	Use of force by law enforcement.
2021 January	Legislation related to unemployment insurance modernization.
2021 May	Legislation to expand BadgerCare and fund various initiatives.
2021 July	Legislation related to funding for education.
2022 March	Legislation to spend surplus dollars for various social programs.
2022 June	Legislation to eliminate abortion prohibitions.
2022 October	A constitutional amendment to provide for binding referenda and ballot initiatives.
2023 September	Legislation to address workforce challenges.

Source: Assembly and Senate Journals, Governor's Proclamations and Executive Orders.



EXECUTIVE ORDER #208

Relating to a Special Session of the Legislature to Address Wisconsin's Workforce Challenges

WHEREAS, Wisconsin began this biennium in the best fiscal position in its 175-year statehood, with a record-high approximately \$7 billion surplus, the lowest unemployment rate in state history, historically high labor force participation, and the highest number of people employed ever;

WHEREAS, according to data released in June 2023 by the U.S. Bureau of Labor Statistics, Wisconsin's unemployment rate and labor force participation rate continued to outpace the national average;

WHEREAS, with already historically low unemployment and high workforce participation, coupled with a shrinking labor pool caused by several long-term factors, Wisconsin's small businesses, farmers and producers, hospitals and healthcare sectors, schools, and other critical employers and industries continue to face significant, generational challenges filling available jobs;

WHEREAS, the state must invest in meaningful, comprehensive, and long-term solutions to address Wisconsin's longstanding workforce challenges, reduce barriers to employment, and prevent these existing challenges from being exacerbated into an unmitigated crisis that would have calamitous consequences for Wisconsin's already-strapped workforce and future economic success;

WHEREAS, critical to addressing these longstanding challenges are efforts to ensure workers who are already participating in Wisconsin's workforce can remain in the workforce, making targeted investments to bolster key industries and sectors facing significant challenges, and efforts to ensure Wisconsin can be competitive in retaining and recruiting talented workers;

WHEREAS, unfortunately, despite such efforts having been a central focus of my 2023-25 proposed biennial budget and despite the benefit of the largest surplus in state history, the Wisconsin State Legislature rejected several initiatives designed to address our state's workforce challenges, support working families, and maintain our state's economic momentum, including expanding paid family leave, stabilizing our state's child care industry to keep child care affordable and accessible for working families and parents, targeting support for high-need sectors and industries, and making substantial investments in Wisconsin's higher education institutions to help train, educate, and retain talented workers at the University of Wisconsin and Wisconsin Technical College Systems;

WHEREAS, the Wisconsin State Legislature's failure to meaningfully and comprehensively address our state's workforce challenges with the urgency necessary will have grave, imminent, and statewide impacts on Wisconsin's workers, employers, and economy;

WHEREAS, as just one example of the consequences of legislative inaction, without investments to address the child care industry's looming fiscal cliff, The Century Foundation estimates 2,110 child care programs could close, resulting in a loss of 4,882 child care jobs, leaving 87,425 kids without child care, and resulting in approximately half a billion dollars in economic impacts between parents leaving the workforce and reduced employer productivity—a catastrophic scenario with broad, cascading effects across Wisconsin's economy;

WHEREAS, given the state's longstanding workforce challenges and already historically low unemployment and high workforce participation, Wisconsin simply cannot afford to have any workers leave our workforce, to create new or additional barriers preventing workers from joining our workforce, or to lose competitive edge in educating, training, retaining, and recruiting talented workers;

WHEREAS, through my strategic, line-item vetoes of the 2023-25 biennial budget, I have ensured there are ample state resources readily available for legislators to uphold their obligation and responsibility to address the most pressing issues facing our state and our economy and make the necessary, substantial investments to finally address our state's chronic workforce challenges;

NOW, THEREFORE, I, TONY EVERS, Governor of the State of Wisconsin, by the authority vested in me by the Constitution and the Laws of the State, specifically Article IV, Section 11 and Article V, Section 4 of the Wisconsin Constitution, hereby require the convening of a special session of the Legislature at the Capitol in the City of Madison, to commence at 12:00 p.m. on Wednesday, September 20, 2023, solely to consider and act upon LRB-4085/LRB-4086, relating to: fall workforce package, granting rule-making authority, making an appropriation, and providing a penalty.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great seal of the State of Wisconsin to be affixed. Done in the City of Milwaukee this eighth day of August in the year of two thousand twenty-three.

TONY EVERS
Governor

By the Governor:

SARAH GODLEWSKI
Secretary of State