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# Wisconsin Legislative Council



Anne Sappenfield  
Director

TO: SENATOR ROGER ROTH

FROM: Anne Sappenfield, Director

RE: Reviving Legislation Following Adjournment of the Last General Floor Period

DATE: March 30, 2020

This memorandum, prepared at your request, describes the circumstances under which legislation may be revived after it is considered to have failed to pass due to the adjournment of the last general floor period.

## **EFFECTS OF ADJOURNMENT OF LAST GENERAL BUSINESS FLOOR PERIOD**

Under current statutes, early in each biennial session period, the Joint Committee on Legislative Organization (JLO) must meet and develop a work schedule for the legislative session, which must include at least one meeting in January of each year. The schedule is submitted to the Legislature as a joint resolution. [s. 13.02 (3), Stats.] For the 2019-20 Legislative Session, 2019 Senate Joint Resolution 1 scheduled March 26, 2020, as the last day of the general floor period.

Under Joint Rule 84 (4), at the adjournment of the last general business floor period scheduled for the spring of the even-numbered year, any bill or joint resolution not yet agreed to by both houses, and any resolution not yet passed by the house of origin, is adversely disposed of for the biennial session and recorded as “failed to pass,” “failed to adopt,” or “failed to concur.” The only exception is for bills introduced by the Joint Committee for Review of Administrative Rules that are not yet agreed to by both houses. These bill are adversely disposed of at the conclusion of the limited-business floor period.

## **EXTENSION OF FLOOR PERIOD AND EXTRAORDINARY SESSION**

A scheduled floor period may be extended. However, such an extension is limited to adding days to a previously scheduled floor period. For example, in 1995, the Committee on Senate Organization adopted a motion, which provided, in part:

In accordance with Joint Rule 81 (2), it is moved that the Legislature extend the floor period scheduled to adjourn on June 1, 1995 and extend the floor period scheduled to convene on June 13, 1995 by merging the two floor periods into one session work period, the extension beginning on June 2, 1995 and terminating by the convening of the scheduled floor period on June 13, 1995.

Alternatively, an extraordinary session may be authorized by one of the following:

- The direction of a majority of the members of the committee on organization in each house.
- The adoption of and concurrence in a joint resolution on the approval by a majority of the members elected to each house.
- The joint petition of a majority of the members elected to each house submitted to, and using a form approved by, the Senate chief clerk and the Assembly chief clerk.

[JR 81 (2).]

## **LEGISLATION THAT MAY BE CONSIDERED DURING AN EXTRAORDINARY SESSION**

Senate Rule 93 (1) provides that, during an extraordinary session, a proposal or amendment may not be considered unless it accomplishes the business specified in the action authorizing the extraordinary session. The rule specifies that any proposal that was adversely disposed of for the session, as described above, may be revived if it is specifically included in the action authorizing the extraordinary session. This does not apply, however, to a proposal that failed a vote of concurrence or passage in the Senate.

If a proposal is revived for an extraordinary session, it is considered to be at the same stage of the proceedings as it had attained during the session. For example, if a bill was passed by the Assembly during a general business floor period, it is considered passed by the Assembly for purposes of the extraordinary session.

During extraordinary session, all of the following may be considered, as well:

- Resolutions offering commendations, congratulations, or condolences.
- Resolutions memorializing Congress or an individual.
- Resolutions affecting Senate or legislative rules or proceedings.
- Nominations for appointments.

[SR 93 (1d).]

For a Senate proposal to be taken up during an extraordinary session of the Senate, the Senate rules provide that such a 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, JCLO, or by the Joint Committee on Employment Relations. [SR 93 (1p).]

If you have any questions, please feel free to contact me directly at the Legislative Council staff offices.

AS:ksm