



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-0871/1
FFK&TKK:jld&klm

2017 BILL

1 **AN ACT** *to renumber and amend* 67.05 (2) (a); *to amend* 67.05 (6a) (a) 2.
2 (intro.), 119.10 (3), 120.08 (2) (c) and 120.43 (2); and *to create* 67.05 (2) (a) 2.
3 of the statutes; **relating to:** consideration of resolution to issue bond by
4 common and union high school districts and prohibiting voting on a resolution
5 to exceed the revenue limit of a school district at a special meeting.

Analysis by the Legislative Reference Bureau

This bill provides that the electors of common and union high school districts may vote upon an initial resolution to raise money through a bond issue only at the school district's annual meeting. Current law permits the electors of common and union high school districts to consider such a resolution at the school district's annual meeting, at a regularly called school district meeting, or at a special meeting called for that purpose. Under current law, with certain exceptions, before the electors of a common or union high school district may issue a bond to raise revenue, the electors must first adopt an initial resolution to do so. After the initial resolution has been approved at the school district meeting, the resolution must also be submitted to a vote of the electors at an election or at a subsequent public hearing scheduled on the initial resolution.

This bill also prohibits a vote on a resolution to exceed a school district's revenue limit for recurring and nonrecurring purposes at a school district special meeting. Current law generally limits the total amount of revenue a school district may receive from general school aids and property taxes in a school year. However, there

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are several exceptions to the revenue limit. One exception is for excess revenue approved by referendum for recurring and nonrecurring purposes. The referendum process begins when a school board adopts a resolution supporting inclusion in the final school district budget of an amount that exceeds the school district's revenue limit.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 67.05 (2) (a) of the statutes is renumbered 67.05 (2) (a) 1. and
2 amended to read:

3 67.05 (2) (a) 1. The Subject to subd. 2., the electors of any town, common school
4 district, union high school district, whether such district is joint or otherwise, or of
5 any municipality other than a county, a city, a village, a technical college district or
6 a board of park commissioners, may at any annual meeting, or at a special meeting
7 of such electors called for the purpose, adopt the initial resolution prescribed by sub.
8 (1) without any prior adoption thereof by the governing body of such municipality.
9 The vote in such case shall be made by ballot in substantially the following form:

10 FOR BONDS AGAINST BONDS

11 **SECTION 2.** 67.05 (2) (a) 2. of the statutes is created to read:

12 67.05 (2) (a) 2. a. Except as provided in subd. 2. c., the electors of a common
13 school district or union high school district, whether such district is joint or
14 otherwise, may adopt the resolution prescribed by sub. (1) only at the annual meeting
15 of the school district.

16 b. Except as provided in subd. 2. d., the school board of a unified school district
17 may adopt the resolution prescribed by sub. (1) only at a meeting of the school board
18 that is held between the 3rd Monday in July and the 3rd Monday in August and at
19 which the school board determines the amount necessary to be raised to operate and

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1 maintain the schools of the school district and public library facilities operated by the
2 school district under s. 43.52 for the school year.

3 c. The electors of a common school district or union high school district, whether
4 such district is joint or otherwise, that experiences a natural disaster, including a
5 fire, that causes the school district's costs to increase may, within the 6-month period
6 immediately following the natural disaster, call a special meeting under s. 120.08 (2)
7 and may adopt the resolution prescribed by sub. (1) at that special meeting.

8 d. The school board of a unified school district that experiences a natural
9 disaster, including a fire, that causes the school district's costs to increase may adopt
10 the resolution prescribed by sub. (1) at a regular meeting of the school board held
11 within the 6-month period immediately following the natural disaster.

12 **SECTION 3.** 67.05 (6a) (a) 2. (intro.) of the statutes is amended to read:

13 67.05 (6a) (a) 2. (intro.) Except as provided under pars. (b) and (c) and subs.
14 (7) and (15), if the board of any school district, or the electors at ~~a regularly called~~
15 the annual meeting of a common school district or union high school district meeting,
16 whether such district is joint or otherwise, by a majority vote adopt an initial
17 resolution to raise an amount of money by a bond issue, the school district clerk shall,
18 within 10 days, publish notice of such adoption as a class 1 notice under ch. 985 or
19 post the notice as provided under s. 10.05. The notice shall state the maximum
20 amount proposed to be borrowed, the purpose of the borrowing, that the resolution
21 was adopted under this subdivision and the place where and the hours during which
22 the resolution may be inspected. The school board shall also do one of the following:

23 **SECTION 4.** 119.10 (3) of the statutes is amended to read:

24 119.10 (3) The board shall hold a regular meeting at least once each month at
25 times fixed and published by the board in its rules. If a regular board meeting falls

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1 on a legal holiday, it shall be held on the next business day. Special meetings may
2 be called and held as provided by the rules of the board. No business may be
3 transacted at a special meeting other than that specified in the notice of the meeting,
4 which shall be delivered personally or by mail to each member at least 24 hours
5 before the time of such meeting. At a special meeting, the board may not vote on a
6 resolution required under s. 121.91 (3) (a) to exceed the school district's limit under
7 s. 121.91 (2m).

8 **SECTION 5.** 120.08 (2) (c) of the statutes is amended to read:

9 120.08 (2) (c) A special meeting has the powers of the annual meeting. No more
10 than 2 special meetings may be held between annual meetings to consider or act upon
11 the same subject, except that in counties having a population of 500,000 or more no
12 more than 4 such meetings may be held. No tax may be voted at a special meeting,
13 unless notice thereof is included in the notice under par. (b). The amount of the tax
14 proposed to be voted shall be set forth in the notice. The special meeting may vote
15 a tax of a lesser amount than stated in the notice, but not a greater amount. A special
16 meeting may not vote on a resolution required under s. 121.91 (3) (a) to exceed the
17 school district's limit under s. 121.91 (2m).

18 **SECTION 6.** 120.43 (2) of the statutes is amended to read:

19 120.43 (2) The school board shall meet at least once each month and at other
20 times upon the call of the school district president or upon the filing of a request with
21 the school district clerk signed by a majority of the school board members. The school
22 board may not vote on a resolution required under s. 121.91 (3) (a) to exceed the
23 school district's limit under s. 121.91 (2m) at a school board meeting that is not the
24 regularly scheduled monthly meeting required under this subsection.

25 (END)