



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-1363/1
FFK:jld

2017 ASSEMBLY BILL 95

February 24, 2017 - Introduced by Representatives NOVAK, E. BROOKS, R. BROOKS, EDMING, FELZKOWSKI, GANNON, HORLACHER, KITCHENS, KNODL, RIPP, SKOWRONSKI, SPIROS, TITTL, TUSLER, VRUWINK, WEATHERSTON, KLEEFISCH and THIESFELDT, cosponsored by Senators MARKLEIN, NASS and OLSEN. Referred to Committee on Education.

1 **AN ACT** *to create* 119.13, 120.07 and 120.45 of the statutes; **relating to:**
2 authorizing a school board member to refuse his or her salary.

Analysis by the Legislative Reference Bureau

This bill authorizes a school board member or school board member-elect to refuse the salary that he or she is entitled to receive for his or her service as a school board member. Under the bill, to refuse his or her salary, the school board member or member-elect must send written notification to the school district clerk and treasurer. To be valid, the school board member or member-elect must send the notification within 30 days after the certification of the individual's election or at least 30 days before the start of the individual's next taxable year. In general, a notification applies only to the taxable year in which the individual's election is certified or to the taxable year to which the notification relates. A school board member or member-elect may not rescind a notification to refuse his or her salary.

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

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

3 **SECTION 1.** 119.13 of the statutes is created to read:
4 **119.13 Board members; refusal of salary.** (1) In this section, "board
5 member" includes a member-elect.

ASSEMBLY BILL 95**SECTION 1**

1 **(2)** (a) 1. Notwithstanding the provisions of s. 119.12 (3), a board member may
2 send written notification to the clerk and the city treasurer that the board member
3 wishes to refuse to accept the salary that he or she is otherwise entitled to receive.

4 2. a. Except as provided in subd. 2. b., for the taxable year in which the board
5 member's election is certified, the board member shall send the notification no later
6 than 30 days after the board member's election is certified. The notification applies
7 only to the taxable year in which the board member's election is certified.

8 b. If the board member's current taxable year ends within 3 months of his or
9 her certification, the notification applies until the end of his or her next taxable year.

10 3. Except as provided in subd. 2., a board member shall send the notification
11 at least 30 days before the start of the board member's next taxable year and the
12 notification applies only to that taxable year. A board member may renew his or her
13 refusal by sending a notification annually as provided in this subdivision.

14 4. A board member may not rescind a notification sent under this paragraph.

15 (b) 1. If the clerk and city treasurer receive a notification under par. (a), the city
16 treasurer may not pay the board member the salary that he or she is otherwise
17 entitled to receive during the time period to which the notification applies, beginning
18 with the first pay period that commences after the notification applies.

19 2. If a board member's notification no longer applies, the city treasurer shall
20 pay the board member any salary that he or she is entitled to receive, beginning with
21 the first pay period that commences after the expiration of the notification.

22 **SECTION 2.** 120.07 of the statutes is created to read:

23 **120.07 School board member; refusal of salary. (1)** In this section:

24 (a) "Salary" means the annual salary for a school board member or the amount
25 for each school board meeting the school board member actually attends.

ASSEMBLY BILL 95

1 (b) "School board member" includes a school board member-elect.

2 (2) (a) 1. Notwithstanding the provisions of s. 120.10 (3), a school board member
3 may send written notification to the school district clerk and the school district
4 treasurer that the school board member wishes to refuse to accept the salary that he
5 or she is otherwise entitled to receive.

6 2. a. Except as provided in subd. 2. b., for the taxable year in which the school
7 board member's election is certified, the school board member shall send the
8 notification no later than 30 days after the school board member's election is
9 certified. The notification applies only to the taxable year in which the school board
10 member's election is certified.

11 b. If the school board member's current taxable year ends within 3 months of
12 his or her certification, the notification applies until the end of his or her next taxable
13 year.

14 3. Except as provided in subd. 2., a school board member shall send the
15 notification at least 30 days before the start of the school board member's next
16 taxable year and the notification applies only to that taxable year. A school board
17 member may renew his or her refusal by sending a notification annually as provided
18 in this subdivision.

19 4. A school board member may not rescind a notification sent under this
20 paragraph.

21 (b) 1. If a school district clerk and school district treasurer receive a notification
22 under par. (a), the school district treasurer may not pay the school board member the
23 salary that he or she is otherwise entitled to receive during the time period to which
24 the notification applies, beginning with the first pay period that commences after the
25 notification applies.

ASSEMBLY BILL 95**SECTION 2**

1 2. If a school board member's notification no longer applies, the school district
2 treasurer shall pay the school board member any salary that he or she is entitled to
3 receive, beginning with the first pay period that commences after the expiration of
4 the notification.

5 **SECTION 3.** 120.45 of the statutes is created to read:

6 **120.45 School board member; refusal of salary. (1)** In this section:

7 (a) "Salary" means the annual salary for a school board member or the amount
8 for each school board meeting the school board member actually attends.

9 (b) "School board member" includes a school board member-elect.

10 **(2)** (a) 1. Notwithstanding the provisions of s. 120.43 (3), a school board member
11 may send written notification to the school district clerk and the school district
12 treasurer that the school board member wishes to refuse to accept the salary that he
13 or she is otherwise entitled to receive.

14 2. a. Except as provided in subd. 2. b., for the taxable year in which the school
15 board member's election is certified, the school board member shall send the
16 notification no later than 30 days after the school board member's election is
17 certified. The notification applies only to the taxable year in which the school board
18 member's election is certified.

19 b. If the school board member's current taxable year ends within 3 months of
20 his or her certification, the notification applies until the end of his or her next taxable
21 year.

22 3. Except as provided in subd. 2., a school board member shall send the
23 notification at least 30 days before the start of the school board member's next
24 taxable year and the notification applies only to that taxable year. A school board

ASSEMBLY BILL 95

1 member may renew his or her refusal by sending a notification annually as provided
2 in this subdivision.

3 4. A school board member may not rescind a notification sent under this
4 paragraph.

5 (b) 1. If a school district clerk and school district treasurer receive a notification
6 under par. (a), the school district treasurer may not pay the school board member the
7 salary that he or she is otherwise entitled to receive during the time period to which
8 the notification applies, beginning with the first pay period that commences after the
9 notification applies.

10 2. If a school board member's notification no longer applies, the school district
11 treasurer shall pay the school board member any salary that he or she is entitled to
12 receive, beginning with the first pay period that commences after the expiration of
13 the notification.

14 (END)