

1989 Assembly Bill 609

Date of enactment: **April 12, 1990**  
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## 1989 WISCONSIN ACT 205

AN ACT to *renumber and amend* 67.05 (6a) (a) 2; and to *create* 67.05 (6a) (a) 2. a, 67.05 (6a) (a) 2. b, 67.05 (6a) (am), 67.05 (6a) (c), 67.05 (7) (h) and 67.05 (7) (i) of the statutes, **relating to:** referenda on the issuance of bonds by school districts.

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

**SECTION 1.** 67.05 (6a) (a) 2. of the statutes, as affected by 1989 Wisconsin Act 31, is renumbered 67.05 (6a) (a) 2. (intro.) and amended to read:

67.05 (6a) (a) 2. (intro.) Except as provided under ~~par. pars. (b) and (c)~~ and subs. (7) and (15), if the board of any school district, or the electors at a regularly called school district meeting, by a majority vote adopt an initial resolution to raise an amount of money by a bond issue, the school district clerk shall, within 10 days, publish notice of such adoption as a class 1 notice under ch. 985 or post the notice as provided under s. 10.05. The notice shall state the maximum amount proposed to be borrowed, the purpose of the borrowing, that the resolution was adopted under this subdivision and the place where and the hours during which the resolution may be inspected. ~~If, within 15 days after publication or posting, a petition is filed with the school district clerk for a referendum on the resolution signed by at least 7,500 electors of the school district or at least 20% of the school district electors, as determined under s. 115.01 (13), whichever is less, the resolution shall not be effective unless adopted by a majority of the school district electors voting at the referendum. The question submitted shall be whether the initial resolution shall or shall not be approved. This subdivision does not apply to borrowing by a school district to meet immediate expenses under s. 67.12 (8). The school board shall also do one of the following:~~

**SECTION 2.** 67.05 (6a) (a) 2. a of the statutes is created to read:

67.05 (6a) (a) 2. a. Direct the school district clerk to call a special election for the purpose of submitting the resolution to the electors for approval or rejection, or direct that the resolution be submitted at the next regularly scheduled primary or election to be held not earlier than 45 days after the adoption of the resolution. The resolution shall not be effective unless adopted by a majority of the school district electors voting at the referendum.

**SECTION 3.** 67.05 (6a) (a) 2. b. of the statutes is created to read:

67.05 (6a) (a) 2. b. Specify in the initial resolution the date, time and place for a public hearing on the resolution, which shall be within 10 days after the publication of the notice under subd. 2. (intro.), and whether the public hearing is for informational purposes only or whether electors present at the public hearing will be given an opportunity to vote on whether a referendum shall be held on the initial resolution.

**SECTION 4.** 67.05 (6a) (am) of the statutes is created to read:

67.05 (6a) (am) 1. If the public hearing under par. (a) 2. b. is for informational purposes only and, within 30 days after the public hearing, a petition is filed with the school district clerk for a referendum on the resolution signed by at least 7,500 electors of the school district or at least 20% of the school district electors, as determined under s. 115.01 (13), whichever is less, the resolution shall not be effective unless adopted by a majority of the

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school district electors voting at the referendum. The question submitted shall be whether the initial resolution shall or shall not be approved.

2. If a vote is taken at the public hearing under par. (a) 2. b., and a majority of the electors present and voting at the hearing determine that a referendum shall be held on the initial resolution, the school board shall proceed under par. (a) 2. a.

3. If a vote is taken at the public hearing under par. (a) 2. b., and a majority of the electors present and voting at the hearing determine that no referendum on the initial resolution shall be held, the resolution shall be effective unless a petition is filed as provided under subd. 1.

**SECTION 5.** 67.05 (6a) (c) of the statutes is created to read:

67.05 (6a) (c) Paragraph (a) 2. does not apply to borrowing by a school district to meet immediate expenses under s. 67.12 (8).

**SECTION 6.** 67.05 (7) (h) of the statutes is created to read:

67.05 (7) (h) If a school district is ordered by a court or a state or federal agency to remove a hazardous substance from a school, an initial resolution adopted by the school board for the purpose of complying with the order is not subject to a referendum. This paragraph does not apply to financing the construction of a new school.

**SECTION 7.** 67.05 (7) (i) of the statutes is created to read:

67.05 (7) (i) If a school district is ordered by a court, state agency or fire chief of a city or village to remedy any violation of a state statute or rule or municipal or county ordinance relating to fire hazards or to the prevention of fire, an initial resolution adopted by the school board for the purpose of complying with the order is not subject to a referendum. This paragraph does not apply to financing the construction of a new school or other school district facility.

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