



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2005 Senate Bill 171

Senate Amendment 1

Memo published: April 29, 2005

Contact: Nick Zavos, Staff Attorney (266-1308)

CURRENT LAW

Under current law, with certain exceptions, if a school board wishes to borrow money or exceed the revenue limit otherwise applicable to the school district, it must obtain the approval of the school district's electors at a referendum. A referendum authorizing borrowing may be held at a special election called for that purpose or at the next regularly scheduled primary or election held not earlier than 45 days after adopting the borrowing resolution. Similarly, a referendum to exceed the district's revenue limit may be held at a special election or at the next succeeding spring primary or election or September primary or election held not earlier than 42 days after the resolution to exceed the limit is filed.

THE BILL

Senate Bill 171 prohibits a school board from calling a special election for either purpose described above. Thus, a referenda to allow the district to borrow or to exceed the district's revenue limit would have to be held at a regularly scheduled election or primary. Currently, regularly scheduled elections and primaries occur every year on the third Tuesday in February and first Tuesday in April, and in even-numbered years on the second Tuesday in September and first Tuesday after first Monday in November.

SENATE AMENDMENT 1

Senate Amendment 1 to Senate Bill 171 would allow a special election to be called in odd-numbered years on the second Tuesday in September and first Tuesday after the first Monday in November. Thus, every year there would be four possible dates for a referendum to be considered.

On April 27, 2005, Senate Amendment 1 to Senate Bill 171 was introduced and recommended for adoption by the Senate Committee on Labor and Election Process Reform on a vote of Ayes, 5; Noes, 0.

NZ:wu