

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-3737/2dn
PG:nwn:ph

November 13, 2009

Marta:

This draft provides for a binding referendum in 2017 instead of an advisory referendum. If the referendum is adopted, the board of school directors would again be in charge of MPS, and the board would appoint the superintendent of schools instead of the mayor. However, as we discussed, current law would not be restored in all instances. For example:

1. Although the board would be charged with formulating the MPS budget and submitting it to the common council, the requirement to hold a public hearing before submitting the budget, which is current law, would not be restored.
2. Currently, the superintendent of schools appoints the deputy superintendent, associate superintendent, and executive assistant, among others, subject to confirmation by the board. If the referendum is adopted, confirmation by the board would not be required.
3. Currently, if the board deems it necessary to exceed the levy rate limit, it may by a two-thirds vote of the members include a communication to that effect as part of the budget transmitted to the common council. If the referendum is adopted, this bill would restore the authority to exceed the levy rate limit to the the board, but would not require a two-thirds vote to do so.

Please let me know if you have questions or need additional changes to the draft.

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