SENATE BILL 598 (LRB -4479)

An Act to renumber and amend 117.20 (1); to amend 117.22 (1) (b) 1.; and to create 117.08 (5) and 117.20 (1) (b) of the statutes; relating to: the procedure for school district consolidations.

2010

03-08.	S.	Introduced by Senators **Vinehout**, **Holperin**, **Kreitlow** and **Olsen**; cosponsored by Representatives **Clark**, **Hraychuck**, **Pope-Roberts**, **Hilgenberg**, **Dexter**, **Milroy**, **Zigmunt**, **Garthwaite**, **Smith**, **Molepske Jr.**, **Mursau** and **M. Williams**.	
03-08.	S.	Read first time and referred to committee on Education	621
03-25.	S.	Public hearing held.	
03-31.	S.	Executive action taken.	
04-05.	S.	Report passage recommended by committee on Education, Ayes 7, Noes 0	670
04-05.	S.	Available for scheduling.	
04-08.	S.	Placed on calendar 4-13-2010 pursuant to Senate Rule 18(1)	681
04-13.	S.	Read a second time.	
04-13.	S.	Ordered to a third reading.	
04-13.	S.	Rules suspended.	
04-13.	S.	Read a third time and **passed**.	
04-13.	S.	Ordered immediately messaged.	
04-13.	A.	Received from Senate	807
04-13.	A.	Read first time and referred to committee on Rules	808
04-13.	A.	Made a special order of business at 11:44 A.M. on 4-15-2010 pursuant to Assembly Resolution 22	825
04-15.	A.	Read a second time.	
04-15.	A.	Ordered to a third reading.	
04-15.	A.	Rules suspended.	
04-15.	A.	Read a third time and **concurred in**.	
04-15.	A.	Ordered immediately messaged.	
04-16.	S.	Received from Assembly concurred in.	

2009
ENROLLED BILL

09en S B-598

ADOPTED DOCUMENTS:

☒ Orig ☐ Engr ___ SubAmdt ___ 09 - 4479/1

Amendments to above (if none, write "NONE"): None

Corrections - show date (if none, write "NONE"): None

Topic Rel

4-17-10
Date

Enrolling Drafter

State of Wisconsin
2009 – 2010 LEGISLATURE

LRB–4479/1
PG:kjf:md

2009 SENATE BILL 598

March 8, 2010 – Introduced by Senators VINEHOUT, HOLPERIN, KREITLOW and OLSEN, cosponsored by Representatives CLARK, HRAYCHUCK, POPE-ROBERTS, HILGENBERG, DEXTER, MILROY, ZIGMUNT, GARTHWAITE, SMITH, MOLEPSKE JR., MURSAU and M. WILLIAMS. Referred to Committee on Education.

1 AN ACT ***to renumber and amend*** 117.20 (1); ***to amend*** 117.22 (1) (b) 1.; and ***to***
2 ***create*** 117.08 (5) and 117.20 (1) (b) of the statutes; **relating to:** the procedure
3 for school district consolidations.

Analysis by the Legislative Reference Bureau

Currently, the procedure for the consolidation of two or more school districts is the following:

1. The school boards adopt resolutions stating that they will consider consolidating their school districts.

2. In the first July following the adoption of resolutions, the school boards may order the school districts consolidated.

3. A referendum is held on the consolidation if the school board of any of the affected school districts directs that one be held, or if a petition signed by a sufficient number of electors is filed before the second Tuesday of September. The referendum, if necessary, is held in November.

4. The consolidation takes effect on the following July 1.

This bill provides two alternative timelines for school district consolidations if the school boards considering consolidation specify in their initial resolutions which alternative timeline applies. The timeline for the first alternative is the following:

1. The school boards may order the school districts consolidated in the first December following the adoption of their initial resolutions.

2. A referendum is held on the consolidation if the school board of any of the affected school districts directs that one be held, or if a petition signed by a sufficient

number of electors is filed before the second Tuesday of February. The referendum, if necessary, is held in April.

3. The consolidation takes effect on the second following July 1.

The timeline for the second alternative is as follows:

1. The school boards may order the school districts consolidated in the first May following the adoption of their initial resolutions.

2. A referendum is held on the consolidation if the school board of any of the affected school districts directs that one be held, or if a petition signed by a sufficient number of electors is filed before the second Tuesday of July. The referendum, if necessary, is held in September.

3. The consolidation takes effect on the following July 1.

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

1 **SECTION 1.** 117.08 (5) of the statutes is created to read:

2 117.08 **(5)** ALTERNATIVE TIMELINES. (a) If each school board adopting a
3 resolution under sub. (1) specifies in its resolution that the alternative timeline
4 under this paragraph applies, the dates specified in subs. (2), (3) (a) 2., and (4) are
5 changed as follows:

6 1. The resolutions ordering or denying a consolidation under sub. (2) shall be
7 adopted in the first December beginning after the adoption of resolutions by 2 or
8 more school boards under sub. (1). Failure of a school board to adopt a resolution
9 either ordering or denying the consolidation before January 1 constitutes a denial of
10 the consolidation by that school board.

11 2. The petition requesting a referendum under sub. (3) (a) 2. shall be filed before
12 the 2nd Tuesday of February following the adoption of the resolutions under sub. (2).

13 3. If a majority of the votes cast in each affected school district is in favor of
14 consolidation, the school districts shall be consolidated on the 2nd following July 1.

(b) If each school board adopting a resolution under sub. (1) specifies in its resolution that the alternative timeline under this paragraph applies, the dates specified in subs. (2) and (3) (a) 2. are changed as follows:

1. The resolutions ordering or denying a consolidation under sub. (2) shall be adopted in the first May beginning after the adoption of resolutions by 2 or more school boards under sub. (1). Failure of a school board to adopt a resolution either ordering or denying the consolidation before June 1 constitutes a denial of the consolidation by that school board.

2. The petition requesting a referendum under sub. (3) (a) 2. shall be filed before the 2nd Tuesday of July following the adoption of resolutions under sub. (2).

SECTION 2. 117.20 (1) of the statutes is renumbered 117.20 (1) (a) and amended to read:

117.20 **(1)** (a) ~~If~~ Except as provided in par. (b), if a referendum is required under ss. 117.08 to 117.11, it shall be held on the Tuesday after the first Monday in November following receipt of the petition or adoption of the resolution under s. 117.08 (3) (a), 117.09 (3) (a), 117.10 (3) (a) or 117.11 (4) (a). If a referendum is required under s. 117.105, it shall be held on the Tuesday after the first Monday in the 2nd November following receipt of the petition or adoption of the resolution under s. 117.105 (1).

SECTION 3. 117.20 (1) (b) of the statutes is created to read:

117.20 **(1)** (b) 1. If the alternative timeline under s. 117.08 (5) (a) is used and a referendum is required, it shall be held on the first Tuesday in April following receipt of the petition or adoption of the resolution under s. 117.08 (3) (a).

2. If the alternative timeline under s. 117.08 (5) (b) is used and a referendum is required, it shall be held on the 2nd Tuesday in September following receipt of the petition or adoption of the resolution under s. 117.08 (3) (a).

SECTION 4. 117.22 (1) (b) 1. of the statutes is amended to read:

117.22 **(1)** (b) 1. If no referendum is required, on the 2nd Tuesday of September following the adoption of the resolution under s. 117.08 (2) or 117.09 (2); except that if the alternative timeline under s. 117.08 (5) (a) is used, on the 2nd Tuesday of February following the adoption of the resolution under s. 117.08 (2); and if the alternative timeline under s. 117.08 (5) (b) is used, on the 2nd Tuesday of July following the adoption of the resolution under s. 117.08 (2).

SECTION 5. Initial applicability.

(1) The treatment of section 117.08 (5) of the statutes first applies to resolutions adopted under section 117.08 (1) of the statutes on the effective date of this subsection.

(END)