

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRBa0127/1dn
JTK:wlj:jf

March 2, 1999

1. This amendment applies unless another statute specifically requires otherwise. Because of time constraints, I did not have the opportunity to identify all of the statutes that might otherwise provide but my guess is there would be few because most statutes permit rather than require special referenda. Under the joint rules, we are not permitted to generally override any potentially conflicting provisions.

2. In this state, there is no authority who or which is specifically charged with the responsibility to make calculations and determinations from population data. In drafting, we generally assign this responsibility to an official of the agency or body that needs to make the determination in order to administer a law that the agency or body administers. In this case, that means the clerk or board of election commissioners of the jurisdiction or district proposing to hold a special referendum. Alternatively, we could assign this responsibility to some other official or body if you wish – for example, the state elections board. In the statutes, population is determined by reference to the latest federal census (which is the only source of data sufficiently detailed to make an accurate determination in this case). See s. 990.01 (29), stats.

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