

1999 DRAFTING REQUEST

Bill

Received: 04/29/99

Received By: grantpr

Wanted: As time permits

Identical to LRB:

For: Rick Skindrud (608) 266-3520

By/Representing:

This file may be shown to any legislator: NO

Drafter: grantpr

May Contact:

Alt. Drafters:

Subject: Education - sch. dist. reorg.

Extra Copies: MJL

Pre Topic:

No specific pre topic given

Topic:

Creation of new school district

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	grantpr 05/5/99	gilfokm 05/7/99		_____			S&L
/1			mclark 05/11/99	_____	lrb_docadmin 05/11/99	lrb_docadmin 05/26/99	

FE Sent For:

<END>

09-16-99
↪

1999 DRAFTING REQUEST

Bill

Received: 04/29/99

Received By: grantpr

Wanted: As time permits

Identical to LRB:

For: Rick Skindrud (608) 266-3520

By/Representing:

This file may be shown to any legislator: NO

Drafter: grantpr

May Contact:

Alt. Drafters:

Subject: Education - sch. dist. reorg.

Extra Copies: MJL

Pre Topic:

No specific pre topic given

Topic:

Creation of new school district

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	grantpr 05/5/99	gilfokm 05/7/99		_____			S&L
/1			mclark 05/11/99	_____	lrb_docadmin 05/11/99		

FE Sent For:

<END>

1999 DRAFTING REQUEST

Bill

Received: **04/29/99**

Received By: **grantpr**

Wanted: **As time permits**

Identical to LRB:

For: **Rick Skindrud (608) 266-3520**

By/Representing:

This file may be shown to any legislator: **NO**

Drafter: **grantpr**

May Contact:

Alt. Drafters:

Subject: **Education - sch. dist. reorg.**

Extra Copies: **MJL**

Pre Topic:

No specific pre topic given

Topic:

Creation of new school district

Instructions:

See Attached

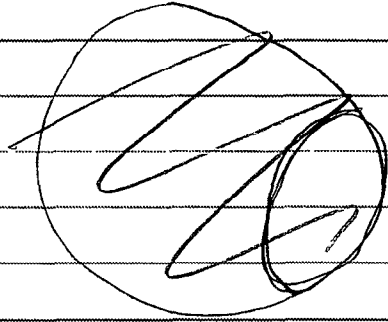
Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
1?	grantpr	1-5-99 kmg	S/10 mre	S/11 MRC/JF			

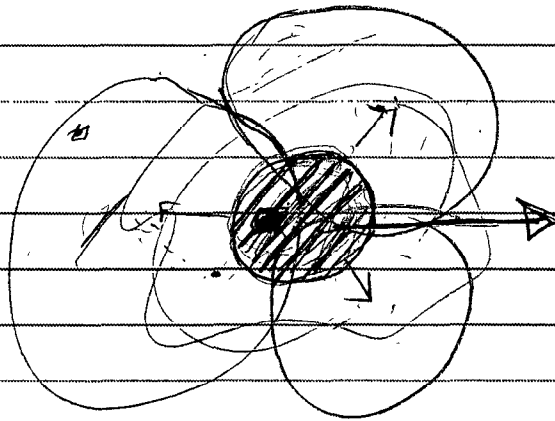
FE Sent For:

<END>

4/29/99 mtg w/ Rep Skene



simplify procedure
when initiated by
petition -
only those
living in new area
area -



if get enough votes
= not on reg. date
not held only in
new area

(divide cost + 121.1k (11))

1999

Date (time) needed _____

LRB - 3006 / 1

BILL

PG: King: _____

Use the appropriate components and routines developed for bills.

AN ACT . . . [generate catalog] *to repeal . . . ; to renumber . . . ; to consolidate and renumber . . . ; to renumber and amend . . . ; to consolidate, renumber and amend . . . ; to amend . . . ; to repeal and recreate . . . ; and to create . . .* of the statutes; relating to: *the procedure for creating of a new school district from the territory of one or more existing school districts.*

[NOTE: See section 4.02 (2) (br), Drafting Manual, for specific order of standard phrases.]

Analysis by the Legislative Reference Bureau

For the 3 titles used in an analysis, in the component bar:

For the main heading [old =M], execute: create → anal: → title: → head

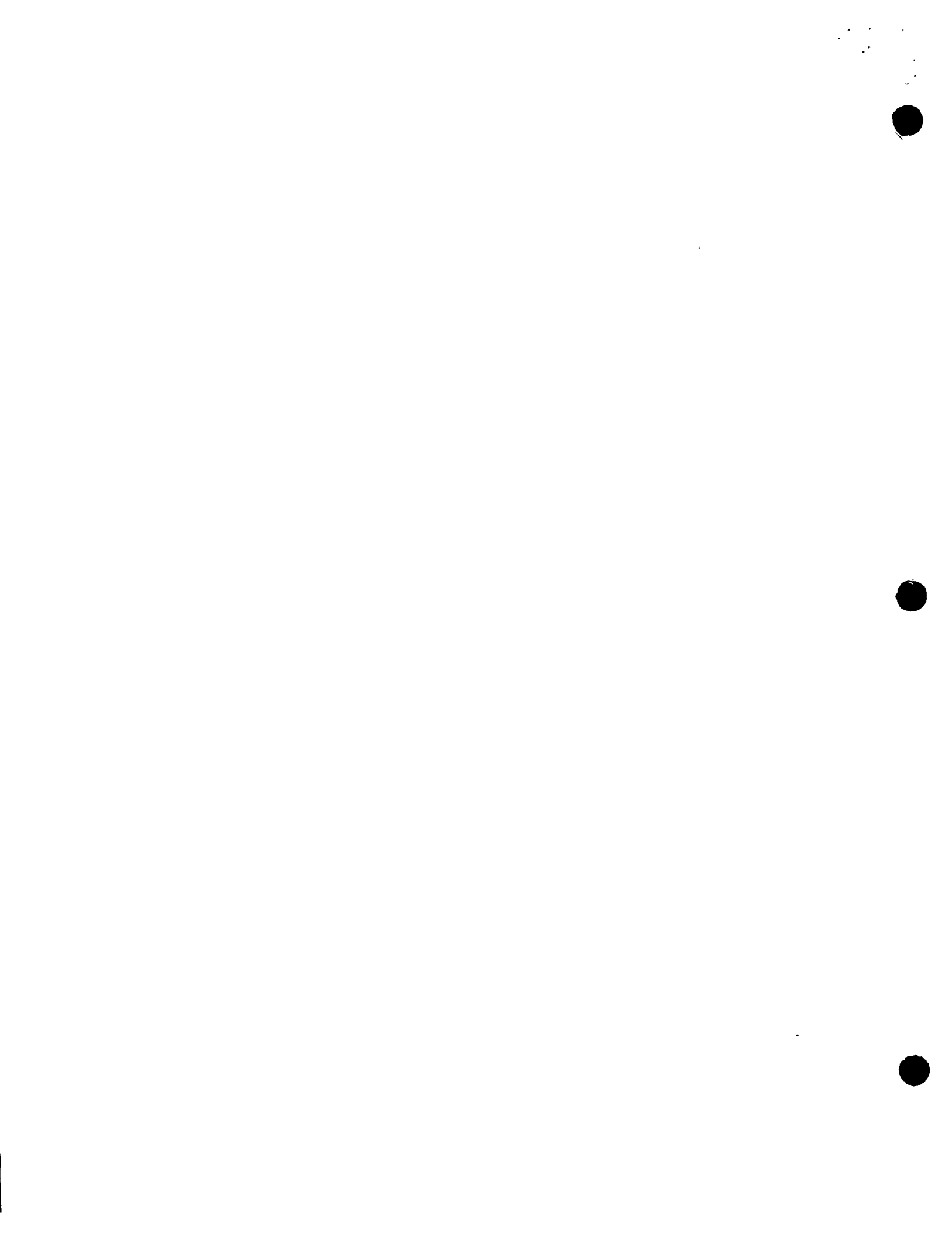
For the subheading [old =S], execute: create → anal: → title: → sub

For the sub-subheading [old =P], execute: create → anal: → title: → sub-sub

(attached)

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

SECTION #.



Section #. 117.105 (1) (a) of the statutes is amended to read:

117.105 (1) (a) Before July 1 of any year, a written petition requesting the creation of a school district may be filed with the clerk of the school district that has the highest equalized valuation of the affected school districts. The petition shall be signed by at least 20% of the ~~total~~ number of electors residing ~~in the affected school districts and by at least 5% of the number of electors residing in each affected~~ school district. The school district clerk with whom the petition is filed shall immediately send a certified notice of the petition to the school board of each affected school district and to the secretary of the board. The petition shall include the ~~approximate~~ boundaries of the proposed school district.

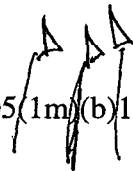
History: 1997 a. 286.

within the boundaries of the proposed^d

Section #. 117.105 (1m) (a) of the statutes is amended to read:

117.105 **(1m)** (a) Upon ~~receipt of a petition or notice under sub. (1) (a), or upon~~ the adoption of a resolution and the receipt of copies of resolutions adopted by the school board of each of the other affected school districts under sub. (1) (b), the school board shall hold a public hearing on the proposed reorganization.

History: 1997 a. 286.



Section #. 117.105 (1m) (b) of the statutes is renumbered 117.105 (1m)(b)1. and amended to read:

117.105 (1m) (b) 1. Before the October 15 following the receipt of a petition or notice under sub. (1) (a) or the adoption of resolutions under sub. (1) (b), the school boards of the affected school districts may, by the adoption of resolutions by the school boards of a majority of the affected school districts, agree on the ~~precise boundaries of the proposed school district and the~~ apportionment of the assets and liabilities between the affected school districts and the proposed school district according to the criteria under s. 66.03 (2c). The school boards may establish an alternative method to govern the assignment of assets and liabilities as provided in s. 66.03 (2c) (b). In determining the precise boundaries, the school boards may not detach territory from any additional school districts. The clerk of the school district that has the highest equalized valuation of the affected school districts shall notify the board of their agreement or their failure to reach agreement. under subs. 1. and 2

INS. A

3.

History: 1997 a. 286.

INS. A

SEC. A. CR; 117.105 (1m) (b) 2.
117.105 (1m) (b) Insert A

Section #. 117.105 (1m) (c) of the statutes is amended to read:

117.105 (1m) (c) If the school boards of a majority of the affected school districts fail to agree on the precise boundaries or on the apportionment of assets and liabilities by October 15 under par. ^{1. or 2.} (b), the board shall issue an order doing so by the following February 15. In determining the precise boundaries of the proposed school district, the board may not detach territory from any additional school districts.

History: 1997 a. 286.

by October 15, if necessary under par. (b) 2.,

Section #. 117.105 (2) of the statutes is amended to read:

If the procedure for
creation of the proposed
school district was
initiated under sub. (1)(b),
before

117.105 (2) SCHOOL BOARD ACTION. ~~Before~~ the January 15 following the determination of the precise boundaries of the proposed school district and the apportionment of assets and liabilities under sub. (1m) (b), or before the April 15 following an order issued by the board under sub. (1m) (c), the school board of each affected school district shall adopt a resolution ordering or denying the creation of the school district. The resolution shall state the school board's rationale for ordering or denying the reorganization and include an evaluation of each of the factors specified in s. 117.15. Failure of a school board to adopt a resolution either ordering or denying the creation of the school district before the applicable date required under this subsection constitutes a denial of the creation of the school district by that school board. The school district clerk of each school board adopting a resolution under this subsection, either ordering or denying the reorganization, shall, within 5 days after the adoption of the resolution, send a certified copy of the resolution to the school boards of each of the other affected school districts and file a certified copy of the resolution as provided in s. 117.17 (2).

History: 1997 a. 286.

~~(B)~~

SEC. CR. 117.105 (3) (a) 4.

(B) 117.105 (3) (a) 4. The procedure for creation of the proposed school district was initiated under sub (1) (a).

INITIAL APPLICABILITY

1. In the component bar:

For the action phrase, execute: create → action: → *NS: → inappl

For the budget action phrase, execute: create → action: → *NS: → 93XX

For the text, execute: create → text: → *NS: → inappl

2. Nonstatutory subunits are numbered automatically if "(#1)", "(#2)", etc., is filled in. Below, for the budget, fill in the 9300 department code; and fill in "____" or "()" only if a "frozen" number is needed.

SECTION # ____ [93 ____ ____]. **Initial applicability;**

(#1) ()

The treatment of sections ..

..... of the statutes
first applies to

1. In the component bar:

For the action phrase, execute: create → action: → *NS: → inappl

For the text, execute: create → text: → *NS: → inapplA

2. Nonstatutory subunits are numbered automatically if "(#1)", "(#2)", etc., is filled in. Below, fill in "____" or "()" only if a "frozen" number is needed.

SECTION # ____ . **Initial applicability**.....

(#1) *ans* This act first applies to *petitions filed under section 117.105 (i)(a) of the statutes on the effective date of this subsection.*

(End)

Analysis

Under current law, the procedure for creating a new school district from the territory of one or more existing school districts ^{is} may be initiated if either of the following occurs before July 1 of any year:

1. The school board of each affected school district adopts a resolution to consider the creation of a new school district.

2. A written petition signed by at least 25% of the total number of electors residing in the affected school districts and by at least 5% of the number of electors residing in each affected school district is filed.

This bill does not affect the procedure that is the adoption of resolutions by the school board of each affected school district. For the procedure that may be initiated by school boards of the affected school districts.

2
2
2

to determine the boundaries of the ~~proposed~~ ^{proposed} school district instead.

4. Current law requires the school board of each affected school district to adopt a resolution ordering or denying the creation of the school district. The proposed reorganization is reviewed by the SDBAB if a petition ~~is filed~~ signed by a specific percentage of electors is filed. This bill eliminates the power of the school boards^s to order or deny the creation of ~~the~~ a ~~proposed~~ school district that was initiated by petition. The bill also eliminates review by ~~the~~ SDBAB.

5. Under current law, a referendum on the creation of the new school district is

held in the territory of the proposed school district under certain circumstances. A referendum ~~may~~ ^{is} also ~~be~~ ^{to be held} required in the territory of the affected school districts under certain circumstances. Under this bill, if the procedure for creation of the new school district ~~is~~ was initiated by petition, a referendum must be held in the territory of the proposed school district. No referendum is held in the territory of the affected school districts that is not within the proposed school district.

FE-SL

100

**SUBMITTAL
FORM**

**LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and sign on the appropriate line(s) below.

Date: 5/11/99

To: Representative Skindrud

Relating to LRB drafting number: LRB-3006

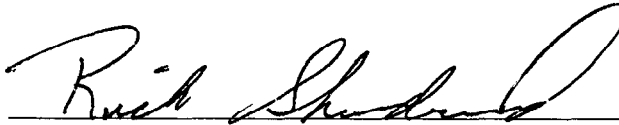
Topic

Creation of new school district

Subject(s)

Education - sch. dist. reorg.

1. **JACKET** the draft for introduction



in the **Senate** _____ or the **Assembly** (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached _____.

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction _____.

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Peter R. Grant, Managing Attorney
Telephone: (608) 267-3362