

**SENATE SUBSTITUTE AMENDMENT 1,
TO 1999 SENATE BILL 254**

March 8, 2000 – Offered by COMMITTEE ON EDUCATION.

1 **AN ACT to amend** 120.02 (1), 120.02 (2) (a) and 120.02 (4) of the statutes;
2 **relating to:** the procedure for changing the number, and for establishing a plan
3 of apportionment, of school board members in a common or unified school
4 district.

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

5 **SECTION 1.** 120.02 (1) of the statutes is amended to read:

6 **120.02 (1) CHANGE IN NUMBER OF SCHOOL BOARD MEMBERS.** If, at least 30 days
7 prior to the day of the annual school district meeting, in a common or union high
8 school district, or at least 45 days prior to the day of the election of school board
9 members in a unified school district, a petition conforming to the requirements of s.
10 8.40 requesting a change in the number of school board members is filed with the
11 school district clerk the clerk shall incorporate in the notice of the annual meeting
12 or election a statement that at the meeting or election the question of changing the

1 number of school board members to the number requested in the petition will be
2 voted upon. The petition shall be signed by not less than 100 electors residing in the
3 school district, except that in school districts which contain, in whole or in part, a city
4 of the 2nd or 3rd class in which one or more electors of the school district reside, the
5 petition shall be signed by not less than 500 electors residing in the school district.
6 If, at the meeting or election of school board members, a resolution based on a petition
7 requesting a change in the number of school board members is adopted by a majority
8 vote, school board members shall be elected at the next school board election and
9 thereafter in accordance with sub. (3).

10 **SECTION 2.** 120.02 (2) (a) of the statutes is amended to read:

11 120.02 (2) (a) If, at least 30 days prior to the day of the annual meeting, in a
12 common or union high school district, or at least 45 days prior to the day of the
13 election of school board members in a unified school district, a petition conforming
14 to the requirements of s. 8.40 requesting the establishment of a plan of
15 apportionment of school board members is filed with the school district clerk the
16 clerk shall incorporate notice of receipt of such petition in the notice of the annual
17 meeting or election. The petition shall specify the proposed plan of apportionment
18 of school board members among the cities, towns and villages or parts thereof within
19 the school district and set the total number of school board members at not more than
20 11. The petition shall be signed by not less than 100 electors residing in the school
21 district, except that in school districts which contain, in whole or in part, a city of the
22 2nd or 3rd class in which one or more electors of the school district reside, the petition
23 shall be signed by not less than 500 electors residing in the school district. If a
24 majority vote of the annual meeting or election approves the plan set forth in the
25 petition, the plan shall remain in operation until revised by the same procedure.

1 School board members elected under this subsection shall be elected by a vote of the
2 electors of the entire school district in accordance with the plan prepared under sub.
3 (3).

4 **SECTION 3.** 120.02 (4) of the statutes is amended to read:

5 120.02 (4) ELECTION TO NUMBERED SEATS. If, at least 30 days prior to the day of
6 the annual meeting, in a common or union high school district, or at least 45 days
7 prior to the day of the election of school board members in a unified school district,
8 a petition conforming to the requirements of s. 8.40 which sets forth a plan for the
9 assignment of a number to each seat on the school board is filed with the school
10 district clerk, the school district clerk shall incorporate notice of receipt of such
11 petition in the notice of the annual meeting or election required under s. 120.06 (8)
12 (c). The petition shall be signed by not less than 100 electors residing in the school
13 district, except that in school districts which contain, in whole or in part, a city of the
14 2nd or 3rd class in which one or more electors of the school district reside, the petition
15 shall be signed by not less than 500 electors residing in the school district. If a
16 majority vote of the annual meeting or election approves the plan set forth in the
17 petition, the plan shall remain in operation until revised by the same procedure.

18 **SECTION 4. Initial applicability.**

19 (1) This act first applies to petitions filed under section 121.02 of the statutes
20 on the effective date of this subsection.

21 (END)