

**1999 DRAFTING REQUEST**

**Bill**

Received: **02/04/2000**

Received By: **mlief**

Wanted: **As time permits**

Identical to LRB:

For: **Mary Lazich (608) 266-5400**

By/Representing: **jim**

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

Drafter: **mlief**

May Contact:

Alt. Drafters:

Subject: **Munis - miscellaneous**

Extra Copies: **PG**

**Pre Topic:**

No specific pre topic given

**Topic:**

Contents of school district referendum notice

**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	mlief 02/07/2000	kgeller 02/07/2000	jfrantze 02/07/2000	_____	lrb_docadmin 02/07/2000		
/2	mlief 02/14/2000 lrb_docadmin 03/02/2000	kgeller 02/14/2000	martykr 02/15/2000	_____ _____ _____	lrb_docadmin 02/15/2000		
/3	mlief 03/02/2000	kgeller 03/02/2000	hhagen 03/02/2000	_____	lrb_docadmin 03/02/2000	lrb_docadmin 03/03/2000	

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*3/2 Sent  
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Pleg* Please send a PDF file  
of draft to Sen. Lazich's aide,  
Jim Gehlke ASAP. Thanks!

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*1/3 3/2 jlg*

*mlief mlief*

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/1	mlief 02/07/2000	ygeller 02/07/2000	jfrantze 02/07/2000	_____	lrb_docadmin 02/07/2000		

*Handwritten notes:*  
 12 2/14 yg  
 2/15 jm  
 2/15 jm

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<END>

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1?	mlief	1 2/3 jia	2/2/97	2/2/97 2/7			

FE Sent For:

<END>



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRB-4485/1

MJL:.....

JLg

1999 BILL

1 AN ACT <sup>gen</sup>...; relating to: the contents of a school district referendum notice. ✓

*Analysis by the Legislative Reference Bureau*

Under current law, if a school board adopts an initial resolution to hold a referendum on school district borrowing, the school district clerk must publish a notice of this initial resolution that states, among other things, the maximum amount proposed to be borrowed. This bill requires the notice to include the total debt service on the amount proposed to be borrowed.

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

2 SECTION 1. 67.05 (6a) (a) 2. (intro.)<sup>X</sup> of the statutes is amended to read:  
3 67.05 (6a) (a) 2. (intro.)<sup>✓</sup> Except as provided under pars. (b) and (c) and subs. (7) and  
4 (15), if the board of any school district, or the electors at a regularly called school  
5 district meeting, by a majority vote adopt an initial resolution to raise an amount of  
6 money by a bond issue, the school district clerk shall, within 10 days, publish notice  
7 of such adoption as a class 1 notice under ch. 985 or post the notice as provided under  
8 s. 10.05. The notice shall state the maximum amount proposed to be borrowed and

**BILL**

**SECTION 1**

1 the total debt service on this amount, the purpose of the borrowing, that the  
2 resolution was adopted under this subdivision and the place where and the hours  
3 during which the resolution may be inspected. The school board shall also do one of  
4 the following:

History: 1971 c. 29; 1971 c. 154 ss. 41, 80; 1971 c. 211, 295; 1973 c. 23; 1975 c. 182, 311, 422; 1977 c. 26; 1977 c. 29 ss. 733, 734, 1654 (8) (c); 1977 c. 427 s. 132; 1979 c. 221, 297, 311; 1981 c. 20, 282, 377, 391; 1983 a. 207 ss. 47 to 52, 93 (5), (6), (7), 95; 1983 a. 236 s. 13; 1983 a. 532 s. 36; 1983 a. 538; 1983 a. 187, 223, 304; 1987 a. 197; 1987 a. 391; 1989 a. 31, 192, 205; 1991 a. 49; 1993 a. 399; 1995 a. 378; 1997 a. 237, 286; 1999 a. 9.

5

(END)



Memo

To: Madelon Lief  
Legislative Reference Bureau

From: Jim Gehrke (6-5400)  
Office of Senator Lazick

Date: February 8, 2000

RE: LRB-4485

Enclosed is a letter that we received from our constituent regarding LRB-4485. Senator Lazick would like to have a redraft that would include the numbered suggestions made by Mr. Kretschmer.

Please contact me with you might have about the redraft. Thank you.

Alan P. Kretschmer  
11061 W. Cobb Avenue  
Hales Corners, WI 53130

**ATTN: Senator Mary Lazich**  
State Capitol  
P.O. Box 7882  
Madison, WI 53707-7882

**RE: School Referenda**

Dear Senator,

Thank you for the work that you are doing in this area. I appreciate that you would ask my opinion on such an important issue. My suggestions are:

1. Any new legislation must make it mandatory for the school district to disclose all costs associated with the project in question, including but not limited to the following:
  - A. Amount of money to be used from existing or future fund balances.
  - B. The cost to issue the bonds.
  - C. The amount to be financed.
  - D. The amount of interest to be paid on the amount financed.
  - E. The net effect in dollars that the project in question will have upon the district's state and federal financial aids.
2. Any new legislation in this area must be patterned after the "Truth In Lending" laws that already exist in the banking industry. A school district should not be allowed to misrepresent the total costs of any project involved in a referendum. This is a direct violation of Wis. State statute 12.05.
3. Any new legislation must have the teeth necessary to lead to conviction and punishment if it is violated. If violation is not met with consequences the law, in effect, does not exist. If an issue is important enough to merit legislation then violation of it merits punishment. How else can the citizenry be assured of protection from criminal behavior.

Please understand that the good people in the Whitnall School District have been saddled with an enormous financial obligation over the next fifteen years. This obligation was made possible through the kind of fraud and misrepresentation that is prohibited under current law. The intention of the school district was, in part, to upgrade facilities for a larger student population. We are now being informed that the school district is entertaining the thought of importing students from outside the district to make up for significant reductions in student population. So, we are financially weakened for the next fifteen years in our ability to educate our children for the sake of a new field house.

I pray that you succeed in your efforts to clean up the mess called public education. If you should find that it will be impossible to stop criminal behavior in the area of school referenda then I would recommend that you allow people to keep their school property tax money and use it to send their children to the private school of their choice. This seems to work in well with the concept of America being a land of freedom. Good luck. I will be looking forward to positive results!

Sincerely,

Alan P. Kretschmer



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRB-4485/7  
MJL:jlg:if

2

1999 BILL

RMrun

D-N

Due By Feb 18<sup>th</sup>  
to ed. Feb. 14<sup>th</sup>

Regen

1 AN ACT to amend 67.05 (6a) (a) 2. (intro.) of the statutes; relating to: the  
2 contents of a school district referendum notice.

**Analysis by the Legislative Reference Bureau**

Under current law, if a school board adopts an initial resolution to hold a referendum on school district borrowing, the school district clerk must publish a notice of this initial resolution that states, among other things, the maximum amount proposed to be borrowed. This bill requires the notice to include the total debt service on the amount proposed to be borrowed.

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

3 SECTION 1. 67.05 (6a) (a) 2. (intro.) of the statutes is amended to read:  
4 67.05 (6a) (a) 2. (intro.) Except as provided under pars. (b) and (c) and subs.  
5 (7) and (15), if the board of any school district, or the electors at a regularly called  
6 school district meeting, by a majority vote adopt an initial resolution to raise an  
7 amount of money by a bond issue, the school district clerk shall, within 10 days,  
8 publish notice of such adoption as a class 1 notice under ch. 985 or post the notice as

**BILL**

1 provided under s. 10.05. The notice shall state the maximum amount proposed to  
 2 be borrowed and ~~the total debt service on this amount~~, the purpose of the borrowing,  
 3 that the resolution was adopted under this subdivision and the place where and the  
 4 hours during which the resolution may be inspected. The school board shall also do  
 5 one of the following:

(END)

D-note  
↓

the cost to issue the bonds, the total debt service  
 on the amount borrowed, any additional amounts  
 the school board estimates will be necessary to effect  
 the purpose of the borrowing, an estimate of the net fiscal effect  
 that the purpose of the borrowing will have on the  
 school districts' eligibility for or receipt of state or  
 federal aid

Senator Lazick:

¶ Because Jim Gehrke was out of the office until next week, I was unable to speak to him about their redraft request, although I believe that their redraft addresses most of Mr. Kretschmer's concerns. I was not sure, however, what Mr. Kretschmer meant by patterning the legislation after the truth in lending laws, nor was I clear about what kind of penalty he wanted to impose upon school districts for violating the bill. In the absence of a specific penalty, S. 939.61 imposes a \$200 forfeiture for a violation of the statutes.

MJC

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-4485/2dn  
MJL;jlg:km

February 15, 2000

Senator Lazich:

Because Jim Gehrke was out of the office until next week, I was unable to speak to him about this redraft request, although I believe that this redraft addresses most of Mr. Kretschmer's concerns. I was not sure, however, what Mr. Kretschmer meant by patterning the legislation after the truth in lending laws, nor was I clear about what kind of penalty he wanted to impose upon school districts for violating the bill. In the absence of a specific penalty, s. 939.61 imposes a \$200 forfeiture for a violation of the statutes.

Madelon J. Lief  
Legislative Attorney  
Phone: (608) 267-7380



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRB-4485/2  
MJL:jlg:km

NOW

1999 BILL

Regen

1 AN ACT to amend 67.05 (6a) (a) 2. (intro.) of the statutes; relating to: the  
2 contents of a school district referendum notice.

the cost to issue the bonds, any additional amounts the school board estimates will be necessary to effect the purpose of the borrowing.

and an estimate of the net fiscal effect that the purpose of the borrowing will have on the school district's eligibility for or receipt of state or federal aid.

*Analysis by the Legislative Reference Bureau*

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5 effect that the purpose of the borrowing will have on the school district's eligibility  
6 for or receipt of state or federal aid, that the resolution was adopted under this  
7 subdivision and the place where and the hours during which the resolution may be  
8 inspected. The school board shall also do one of the following:

9 (END)



**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: 03/02/2000

To: Senator Lazich

Relating to LRB drafting number: LRB-4485

**Topic**

Contents of school district referendum notice

**Subject(s)**

Munis - miscellaneous

1. **JACKET** the draft for introduction Mary Lazich  
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 Yes 

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.

Madelon J. Lief, Legislative Attorney  
Telephone: (608) 267-7380