

**1999 DRAFTING REQUEST**

**Assembly Amendment (AA-ASA1-AB133)**

Received: **06/21/99**

Received By: **kuesejt**

Wanted: **Soon**

Identical to LRB:

For: **Assembly Republican Caucus 6-1452**

By/Representing: **Rindfleisch**

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

Drafter: **kuesejt**

May Contact:

Alt. Drafters:

Subject: **Elections - miscellaneous**

Extra Copies: **RJM - 1**

**Pre Topic:**

ARC:.....Rindfleisch - Am #26,

**Topic:**

Scheduling of referenda by local governments

**Instructions:**

Per 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>
/?	kuesejt 06/23/99	wjackson 06/24/99		_____			
/1			ismith 06/24/99	_____	lrb_docadmin 06/24/99		
/2	kuesejt 06/24/99	wjackson 06/25/99	jfrantze 06/25/99	_____	lrb_docadmin 06/25/99		

FE Sent For:

**1999 DRAFTING REQUEST**

**Assembly Amendment (AA-ASA1-AB133)**

Received: 06/21/99

Received By: **kuesejt**

Wanted: **Soon**

Identical to LRB:

For: **Assembly Republican Caucus 6-1452**

By/Representing: **Rindfleisch**

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

Drafter: **kuesejt**

May Contact:

Alt. Drafters:

Subject: **Elections - miscellaneous**

Extra Copies: **RJM - 1**

**Pre Topic:**

ARC:.....Rindfleisch - Am # 26,

**Topic:**

Scheduling of referenda by local governments

**Instructions:**

Per 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>
/?	kuesejt 06/23/99	wjackson 06/24/99		_____			
/1		<i>12/25 WLJ</i> ismith 06/24/99		_____	lrb_docadmin 06/24/99		
	<i>12 kuesejt</i> FE Sent For: <i>6/24</i>		<i>7/6/25</i>	<i>7/6/25</i>			
				<i>6/25</i>			

<END>

**1999 DRAFTING REQUEST**

**Assembly Amendment (AA-ASA1-AB133)**

Received: **06/21/99**

Received By: **kuesejt**

Wanted: **Soon**

Identical to LRB:

For: **Assembly Republican Caucus 6-1452**

By/Representing: **Rindfleisch**

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

Drafter: **kuesejt**

May Contact:

Alt. Drafters:

Subject: **Elections - miscellaneous**

Extra Copies: **RJM - 1**

**Pre Topic:**

ARC:.....Rindfleisch - Am # 26,

**Topic:**

Scheduling of referenda by local governments

**Instructions:**

Per 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? / 1	kuesejt	6/23 11 6/23 Wlj	IS 6/23	IS/JF 6/23			

FE Sent For:

<END>

# To Be Drafted

Agency	Elections	Amendment#	26
ARC Analyst	Kelly Rindfleisch	LRB#	
		Tax Cut	<input type="checkbox"/>

## Summary

Under current law, referenda are authorized or required to be held by local governments under various laws for various purposes.

This amendment provides that, unless a more restrictive limitation applies currently, a referendum by a local government may only be held concurrently with the spring primary, the spring election, or on the first Tuesday after the first Monday in November of an odd-numbered year, the September primary or general election.

The amendment also provides that no referendum submitted by the same local government relating to substantially similar subject matter or relating to authorization for the borrowing of money may be held more than once in any 12-month period.

## Fiscal Impact

None.

## Statement of Intent

Elections. Requires local government referendums to be held concurrently with regularly scheduled elections.

1999

Date (time) needed

SOON

LRB b

0793, 1

CAUCUS BUDGET AMENDMENT  
[ONLY FOR CAUCUS]

STR: Wlj:

See form AMENDMENTS — COMPONENTS & ITEMS.

CAUCUS AMENDMENT  
TO ASSEMBLY SUBSTITUTE AMENDMENT 1  
TO 1999 ASSEMBLY BILL 133

>>FOR CAUCUS SUPERAMENDMENT — NOT FOR INTRODUCTION<<

At the locations indicated, amend the substitute amendment as follows:

#. Page 6, line 7: after that line insert.

#. Page . . . . ., line . . . . .:

#. Page . . . . ., line . . . . .:

#. Page . . . . ., line . . . . .:

#. Page . . . . ., line . . . . .:

#. Page . . . . ., line . . . . .:



## 1999 BILL

1 **AN ACT to amend** 7.15 (2) (d), 8.05 (3) (d) and (e), 8.06, 9.20 (4), 24.66 (3) (b), 24.66  
2 (4), 32.72 (1), 59.08 (7) (b), 60.62 (2), 60.74 (5) (b), 61.187 (1), 61.46 (1), 62.09 (1)  
3 (a), 64.03 (1), 64.39 (3), 66.01 (8), 66.059 (2m) (b), 66.061 (1) (c), 66.075 (5),  
4 66.504 (2), 66.521 (10) (d), 66.77 (3) (a) 1., 66.94 (4), 67.05 (4) and (5), 67.05 (6a)  
5 (a) 2. a., 67.05 (6m) (b), 67.10 (5) (b), 67.12 (12) (e) 5., 81.01 (3) (b), 86.21 (2) (a),  
6 117.20, 119.48 (4) (b) and (c), 119.49 (1) (b) and (2), 121.91 (3) (a), 197.04 (1) (b)  
7 and (2), 197.10 (2) and 198.19 (1); and **to create** 8.065 and 15.615 of the  
8 statutes; **relating to:** scheduling of referenda by local governments.

---

### ***Analysis by the Legislative Reference Bureau***

Under current law, referenda are authorized or required to be held by local governments under various laws for various purposes. In some cases, these referenda are authorized or required to be held at special elections when no offices appear on the ballot. In most cases, there is no limitation upon the frequency that questions relating to the same subject matter may be submitted.

This bill provides that, unless a more restrictive limitation applies currently, a referendum by a local government may only be held concurrently with the spring primary (held in most election districts in each year), the spring election (held in each year), or on the first Tuesday after the first Monday in November of an

**BILL**

~~odd-numbered year (no election is currently held on that date), the September primary (held in each even-numbered year) or general election (held in each even-numbered year). The bill also provides that, unless a more restrictive limitation applies currently, no referendum submitted by the same local government relating to substantially similar subject matter or relating to authorization for the borrowing of money may be held more than once in any 12-month period. However, the bill creates a state referendum appeal board consisting of the governor, the senate majority leader, the senate minority leader, the speaker of the assembly and the assembly minority leader or their designees, which is empowered to permit a local government to hold a referendum on a date that is not otherwise permitted if the board finds that an emergency exists which requires the referendum to be held on a date that is not otherwise permitted.~~

~~The bill applies to all referenda, including referenda concerning direct legislation (initiative) in cities and villages.~~

~~For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.~~

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

1

SECTION 1. 7.15 (2) (d) of the statutes is amended to read:

2

3

4

5

6

7

8

9

10

11

12

7.15 (2) (d) Whenever the governing body of any municipality submits any question to a vote of the electors or whenever a proper recall petition and certificate are filed under s. 9.10, the municipal clerk shall issue a call for the election and prepare and distribute ballots as required in the authorization of submission or as provided in s. 9.10. The date of the referendum shall be established in accordance with s. 8.065, and shall be fixed by the municipal clerk or board of election commissioners unless otherwise provided by law or unless the governing body fixes a date. The ballot for any referendum shall conform to s. 5.64 (2). If there is already an official municipal referendum ballot for the election, the question may appear on the same ballot.

SECTION 2. 8.05 (3) (d) and (e) of the statutes are amended to read:

**BILL**

1           8.05 (3) (d) The question of adoption of the nonpartisan primary under this  
 2 subsection may be submitted to the electors at any regular election ~~authorized under~~ <sup>specified in</sup>  
 3 ~~s. 8.065~~ <sup>(2)</sup> held in the town ~~or at a special election called for the purpose~~. When a  
 4 petition conforming to the requirements of s. 8.40 signed by at least 20 electors of the  
 5 town is filed with the town clerk so requesting, the question shall be submitted to a  
 6 vote.

7           (e) Petitions requesting a vote on the question at a regular town election shall  
 8 be filed no later than 5 p.m. the last Tuesday in February. When the petition is filed,  
 9 the clerk shall check its sufficiency. ~~Whether at a regular or special election, the~~ The  
 10 clerk shall give separate notice by one publication in a newspaper at least 5 days  
 11 before the election. <sup>1.0. ← ⊙</sup>

12           SECTION ~~3.~~ <sup>1.0.</sup> 8.06 of the statutes is amended to read:

13           **8.06 Special elections may be called.** Towns, cities, villages and school  
 14 districts may call special elections for any purpose whenever such action is  
 15 authorized or required by law. If an election is called for a special referendum, the  
 16 election shall be called and noticed under as provided in s. 8.55.

17           SECTION ~~4.~~ <sup>1.0. ← ⊙</sup> 8.065 of the statutes is created to read:

18           **8.065 Scheduling of referenda.** (1) In this section, "local governmental  
 19 unit" has the meaning given in s. 16.97 (7).

20           (2) Unless otherwise required by law ~~or unless authorized under sub. (3),~~ a  
 21 referendum held by any local governmental unit that is authorized or required by  
 22 law to hold a referendum may only be held concurrently with the spring primary,  
 23 spring election, September primary or general election, or ~~on~~ <sup>Ⓣ</sup> the first Tuesday after  
 24 the first Monday of November of an odd-numbered year. ~~Unless otherwise required~~ <sup>(3) ⊙</sup>  
 25 by law ~~or unless authorized under sub. (3),~~ no referendum submitted by the same

## BILL

1 local governmental unit relating to substantially similar subject matter or relating  
2 to authorization for the borrowing of money may be held more than once in any  
3 12-month period.

4 (3) If a local governmental unit wishes to hold a special referendum on a date  
5 that is not concurrent with an election specified in s. 5.02 (5), (18), (21) or (22) or on  
6 a date other than the first Tuesday after the first Monday in November of an  
7 odd-numbered year, the local governmental unit may petition the referendum  
8 appeal board for a determination that an emergency exists with respect to a  
9 particular question. The referendum appeal board shall make a determination  
10 within 10 days after receipt of a petition under this subsection. If the referendum  
11 appeal board finds, with the concurrence of at least 4 members, that an emergency  
12 exists which requires a special referendum to be held by a local governmental unit  
13 on a date that is not concurrent with an election specified in s. 5.02 (5), (18), (21) or  
14 (22) or on a date other than the first Tuesday after the first Monday in November of  
15 an odd-numbered year, the board may permit a referendum relating to the question  
16 specified in the petition to be held on a date determined by the local governmental  
17 unit.

18 SECTION 5. <sup>light</sup> 9.20 (4) of the statutes is amended to read:

19 9.20 (4) The common council or village board shall, without alteration, either  
20 pass the ordinance or resolution within 30 days following the date of the clerk's final  
21 certificate, or submit it to the electors at the next ~~spring or general~~ election  
22 ~~authorized under s. 8.065~~ <sup>specified in</sup> if the election is more than 6 weeks after the date of the  
23 council's or board's action on the petition or the expiration of the 30-day period,  
24 whichever first occurs. If there are 6 weeks or less before the election, the ordinance  
25 or resolution shall be voted on at the next election <sup>specified in</sup> ~~authorized under s. 8.065 (2)~~ or

**BILL**

1 ~~an election authorized under s. 8.065 (3) thereafter. The council or board by a~~  
 2 ~~three-fourths vote of the members elect may order a special election for the purpose~~  
 3 ~~of voting on the ordinance or resolution at any time prior to the next election, but not~~  
 4 ~~more than one special election for direct legislation may be ordered in any 6-month~~  
 5 ~~period.~~ "10

6 **SECTION 6.** 15.615 of the statutes is created to read:

7 **15.615 Same; attached boards.** (2) REFERENDUM APPEAL BOARD. There is  
 8 created a referendum appeal board which is attached to the elections board under  
 9 s. 15.03. The board shall consist of the governor, the senate majority leader, the  
 10 senate minority leader, the speaker of the assembly and the assembly minority  
 11 leader or the designees of these persons. Members of the board shall serve for  
 12 indefinite terms.

# page 402, line 19: after that line insert.  
 13 " SECTION 24.66 (3) (b) of the statutes is amended to read:  
 TNSM 091040

14 24.66 (3) (b) *For long-term loans by unified school districts.* Every application  
 15 for a loan, the required repayment of which exceeds 10 years, shall be approved and  
 16 authorized for a unified school district by a majority vote of the members of the school  
 17 board at a regular or special meeting of the school board. Every vote so required shall  
 18 be by ayes and noes duly recorded. In addition, the application shall be approved for  
 19 a unified school district by a majority vote of the electors of the school district at a  
 20 special election referendum as provided under sub. (4).

TNSM 091040  
 21 **SECTION 24.66 (4)** of the statutes is amended to read:

22 24.66 (4) **POPULAR VOTE, WHEN REQUIRED.** If any municipality is not empowered  
 23 by law to incur indebtedness for a particular purpose without first submitting the  
 24 question to its electors, the application for a state trust fund loan for that purpose  
 25 must be approved and authorized by a majority vote of the electors at a special

BILL

1 election referendum called, in accordance with s. 8.065, and noticed and held in the  
 2 manner provided for other special elections referenda. The notice of the election  
 3 referendum shall state the amount of the proposed loan and the purpose for which  
 4 it will be used. <sup>"</sup> <sub>ⓐ</sub>

5 <sup># Page 502, line 14: after that line insert:</sup>  
 ✓ <sup>882mtⓐ</sup> SECTION 32.72 (1) of the statutes is amended to read:  
 6 32.72 (1) Sections 32.50 to 32.71 do not take effect in any city until the following  
 7 question is submitted to the electors of the city at a special election referendum called  
 8 in accordance with s. 8.065 and adopted by a majority vote of the electors voting:  
 9 "Shall subchapter II of chapter 32, Wisconsin Statutes, be effective in the city of  
 10 ....., thus allowing the city to acquire and condemn property for street  
 11 widening and similar purposes, financed through assessments of benefits and  
 12 damages?" <sup>"</sup> <sub>ⓐ</sub>

13 <sup># Page 159, line 14: after that line insert:</sup>  
 SECTION 59.08 (7) (b) of the statutes is amended to read:  
 14 <sup>1575mtⓐ</sup> 59.08 (7) (b) The question of the consolidation of the counties shall be submitted  
 15 to the voters at the next election specified in authorized under s. 8.065 (2) or an election  
 16 authorized under s. 8.065 (3) to be held on the first Tuesday in April, or the next  
 17 regular election, or at a special election to be held on a date specified in the order  
 18 which shall be no sooner than 45 days after the day fixed in date of the order issued  
 19 under par. (a), which day date shall be the same in each of the counties proposing to  
 20 consolidate. A copy of the order shall be filed with the county clerk of each of the  
 21 counties. ~~If the question of consolidation is submitted at a special election, it shall~~  
 22 ~~be held not less than 30 days nor more than 60 days from the completion of the~~  
 23 ~~consolidation agreement, but not within 60 days of any spring or general election.~~ <sup>"</sup> <sub>ⓐ</sub>

24 <sup># Page 763, line 23: after that line insert:</sup>  
 SECTION 60.62 (2) of the statutes is amended to read:  
<sup>1582mtⓐ</sup>

**BILL**

1           60.62 (2) If the county in which the town is located has enacted a zoning  
2 ordinance under s. 59.69, the exercise of the authority under sub. (1) is subject to  
3 approval by the town meeting or by a referendum vote of the electors of the town to  
4 be held at the time of any regular or special election in accordance with s. 8.065. <sup>xy</sup>

5           ~~SECTION 62.~~ 60.74 (5) (b) of the statutes is amended to read:  
*# Page 764, line 25: after that line insert:*

6           60.74 (5) (b) A petition conforming to the requirements of s. 8.40 signed by  
7 qualified electors of the district equal to at least 20% of the vote cast for governor in  
8 the district at the last gubernatorial election, requesting a change to appointment  
9 of commissioners, may be submitted to the town board, subject to sub. (5m)(a). Upon  
10 receipt of the petition, the town board shall submit the question to a referendum at  
11 the next regular spring election or general election, or shall call a special election for  
12 that purpose <sup>specified in</sup> ~~authorized under s. 8.065 (2) or an election authorized under s. 8.065~~  
13 ~~(3)~~ to be held not sooner than 45 days after receipt of the petition. The inspectors  
14 shall count the votes and submit a statement of the results to the commission. The  
15 commission shall canvass the results of the election and certify the results to the  
16 town board which has authority to appoint commissioners.

17           <sup>158mm 7m ← ⊙</sup> SECTION 61.187 (1) of the statutes is amended to read:

18           61.187 (1) PROCEDURE. Whenever a petition conforming to the requirements  
19 of s. 8.40, signed by at least one-third as many electors of any village as voted for  
20 village officers at the next preceding election therefor, shall be presented to the  
21 village board praying for dissolution of the village corporation, such board shall  
22 submit to the electors of such village, for determination by ballot in substantially the  
23 manner provided by ss. 5.64 (2) and 10.02, at a general election or at a special election  
24 called by them for that purpose ~~the next election authorized under s. 8.065 (2) or an~~

25           <sup>← Specified in</sup> ~~election authorized under s. 8.065 (2) or an~~ election <sup>(2)</sup> to be held not sooner than 45 days after

## BILL

1 presentation of the petition, the question whether or not such village corporation  
2 shall be dissolved. 10 ← (B)

3 SECTION 14. 61.46 (1) of the statutes is amended to read:

4 61.46 (1) GENERAL; LIMITATION. The village board shall, on or before December  
5 15 in each year, by resolution to be entered of record, determine the amount of  
6 corporation taxes to be levied and assessed on the taxable property in such village  
7 for the current year. Before levying any tax for any specified purpose, exceeding one  
8 percent of the assessed valuation aforesaid, the village board shall, and in all other  
9 cases may in its discretion, submit the question of levying the same to the village  
10 electors at ~~any general or special~~ the next election ~~authorized under s. 8.065 (2)~~ <sup>Special in</sup>  
11 ~~an election authorized under s. 8.065 (3)~~ to be held no sooner than 45 days after  
12 submission by giving 10 days' notice thereof prior to such election by publication in  
13 a newspaper published in the village, if any, and if there is none, then by posting  
14 notices in 3 public places in said village, setting forth in such notices the object and  
15 purposes for which such taxes are to be raised and the amount of the proposed tax.

16 SECTION 16. 62.09 (1) (a) of the statutes is amended to read:

17 62.09 (1) (a) The officers shall be a mayor, treasurer, clerk, comptroller,  
18 attorney, engineer, one or more assessors unless the city is assessed by a county  
19 assessor under s. 70.99, one or more constables as determined by the common  
20 council, a local health officer, as defined in s. 250.01 (5), or local board of health, as  
21 defined in s. 250.01 (3), street commissioner, board of police and fire commissioners  
22 except in cities where not applicable, chief of police, chief of the fire department,  
23 board of public works, 2 alderpersons from each aldermanic district, and such other  
24 officers or boards as are created by law or by the council. If one alderperson from each  
25 aldermanic district is provided under s. 66.018 (1), the council may, by ordinance

## BILL

1 adopted by a two-thirds vote of all its members and approved by the electors at a  
 2 ~~general or special~~ <sup>special</sup> any election ~~authorized under s. 8.065~~ <sup>(2)</sup>, provide that there shall be

3 2 alderpersons from each aldermanic district.

# Page 768, line 24: after that line insert:  
 4 SECTION 16. 64.03 (1) of the statutes is amended to read:

5 64.03 (1) Every ordinance or resolution for the adoption of ss. 64.01 to 64.15,  
 6 and every petition for a ~~special election~~ referendum on the same, shall state the  
 7 number of members of which the council herein provided for shall be composed, the  
 8 term of office of its members, which term shall not exceed 2 years, whether they shall  
 9 be nominated and elected from aldermanic districts or from the city at large, and the  
 10 compensation, if any, which they shall receive.

11 SECTION 17. 64.39 (3) of the statutes is amended to read:

12 64.39 (3) Upon filing such petition, the mayor shall, by proclamation, submit  
 13 the questions prescribed in sub. (1) at a ~~special~~ <sup>specified in</sup> the next election ~~authorized under~~  
 14 ~~s. 8.065 (2) or an election authorized under s. 8.065 (2)~~ to be held at a time specified  
 15 therein and within 2 months not sooner than 45 days after such petition is filed. The  
 16 election upon such question shall be conducted, the vote canvassed, and the result  
 17 declared in the same manner as provided by law for other city elections.

18 SECTION 18. 66.01 (8) of the statutes is amended to read:

19 66.01 (8) Every charter, charter amendment or charter ordinance enacted or  
 20 approved by a vote of the electors shall control and prevail over any prior or  
 21 subsequent act of the legislative body of the city or village. Whenever the electors  
 22 of any city or village by a majority vote have adopted or determined to continue to  
 23 operate under either ch. 62 or 64, or have determined the method of selection of  
 24 members of the governing board, the question shall not again be submitted to the  
 25 electors, nor action taken thereon within a period of 2 years. Any election to change

**BILL**

1 or amend the charter of any city or village, other than a special ~~an~~ election as  
2 provided in ~~called under~~ s. 9.20 (4), shall be held at the time provided by statute for  
3 holding the spring election. " 0

4 " # page 728, line 5: after that line insert:  
SECTION 19. 66.059 (2m) (b) of the statutes is amended to read:

5 66.059 (2m) (b) If a referendum is to be held on a resolution, the municipal  
6 governing body shall direct the municipal clerk to call a special election for the  
7 purpose of submitting submit the resolution to the electors for approval of the  
8 electors at a referendum on approval or rejection. In lieu of a special election, the  
9 municipal governing body may specify that the election be held at the next  
10 succeeding spring primary or election or September primary or general election  
11 called in accordance with s. 8.065.

12 SECTION 20. 66.061 (1) (c) of the statutes is amended to read:

13 66.061 (1) (c) No such ordinance shall be operative until 60 days after passage  
14 and publication unless sooner approved by a referendum. Within that time electors  
15 equal in number to 20 per cent of those voting at the last regular municipal election,  
16 may demand a referendum. The demand shall be in writing and filed with the clerk.  
17 Each signer shall state his or her occupation and residence and signatures shall be  
18 verified by the affidavit of an elector. The referendum shall be held at the next  
19 regular municipal election, or at a special election within 90 days of the authorized

20 ~~under s. 8.065 (2) or an election authorized under s. 8.065 (2) to be held not sooner~~  
21 than 45 days after filing of the demand, and the ordinance shall not be effective  
22 unless approved by a majority of the votes cast thereon. This paragraph shall not  
23 apply to extensions by a utility previously franchised by the village or city.

24 SECTION 21. 66.075 (5) of the statutes is amended to read:

**BILL**

1           66.075 (5) The provisions of this section shall apply only to such counties, cities,  
 2           villages and towns as shall have adopted the same at any general or municipal  
 3           election at which the question of the establishment of such county or municipal  
 4           slaughterhouse shall have been submitted to the voters of such county, city, village  
 5           or town. Such question shall, upon the filing of a petition conforming to the  
 6           requirements of s. 8.40 by electors of such county, city, village or town equal in  
 7           number to at least 10% of all the votes cast in such county, city, village or town for  
 8           governor at the last preceding general election, be submitted to the electors of such  
 9           county, city, village or town at the next ensuing election <sup>specified in</sup> ~~authorized under~~ s. 8.065 (2)  
 10           ~~or an election authorized under s. 8.065 (3) to be held not sooner than 45 days after~~  
 11           filing of the petition, and if a majority of votes cast shall be in favor of the  
 12           establishment of such slaughterhouse, the provisions of this section shall apply to  
 13           such county, city, village or town. <sup>①</sup>

14           " SECTION <sup>22</sup> 66.504 (2) of the statutes is amended to read:  
 15           1637at④

15           66.504 (2) FACILITIES AUTHORIZED. A municipality may enter into a joint  
 16           contract with a nonprofit corporation organized for civic purposes and located in the  
 17           municipality to construct or otherwise acquire, equip, furnish, operate and maintain  
 18           a facility to be used for municipal and civic activities if a majority of the voters voting  
 19           in a referendum at a ~~special election or at a spring primary or election or September~~  
 20           ~~primary or general~~ <sup>specified in</sup> ~~an election, authorized under~~ s. 8.065 <sup>②</sup> approve the question of  
 21           entering into the joint contract. <sup>①</sup>

22           " SECTION <sup>23</sup> 66.521 (10) (d) of the statutes is amended to read:  
 23           1637WK④

23           66.521 (10) (d) The governing body may issue bonds under this section without  
 24           submitting the proposition to the electors of the municipality for approval unless  
 25           within 30 days from the date of publication of notice of adoption of the initial

**BILL**

1 resolution for such bonds, a petition conforming to the requirements of s. 8.40, and  
 2 signed by a number of electors of the municipality equal to not less than 5% of the  
 3 registered electors of the municipality, or, if there is no registration of electors in the  
 4 municipality, by 10% of the number of electors of the municipality voting for the office  
 5 of governor at the last general election as determined under s. 115.01 (13), is filed  
 6 with the clerk of the municipality requesting a referendum upon the question of the  
 7 issuance of the bonds. If such a petition is filed, the bonds shall not be issued until  
 8 approved by a majority of the electors of the municipality voting thereon at a general

9 or special election referendum called in accordance with s. 8.065. (1)

10 SECTION 24. 66.77 (3) (a) 1. of the statutes is amended to read:

11 66.77 (3) (a) 1. If the governing body of a county wishes to exceed the operating  
 12 levy rate limit otherwise applicable to the county under this section, it shall adopt  
 13 a resolution to that effect. The resolution shall specify either the operating levy rate  
 14 or the operating levy that the governing body wishes to impose for either a specified  
 15 number of years or an indefinite period. The governing body shall call a special  
 16 referendum for the purpose of submitting the resolution to the electors of the county  
 17 for approval or rejection. In lieu of a special referendum, the governing body may  
 18 specify that provide for the referendum to be held at the next succeeding spring

19 primary or election or September primary or general election to be held ~~authorized~~  
 20 ~~under s. 8.065 (2) or an election authorized under s. 8.065 (3) that occurs not earlier~~  
 21 than 30 days after the adoption of the resolution of the governing body.

22 SECTION 25. 66.94 (4) of the statutes is amended to read:

23 66.94 (4) MANNER OF ADOPTION. This section may be adopted by any city, village  
 24 or town within the metropolitan district in the following manner: The governing body  
 25 of any municipality, by ordinance passed at least 30 days prior to submission of the

(9)  
(10)  
(11)

(19)  
(20)

(22)

*of page 806, line 20: after that line insert:*  
 SECTION 24. 66.77 (3) (a) 1. of the statutes is amended to read:  
 (1638 n 1) (6)

*specified in*  
~~under s. 8.065 (2) or an election authorized under s. 8.065 (3) that occurs not earlier~~

*1640 mt (6)*

**BILL**

1 question, may direct that the question of the adoption of this section be submitted  
 2 to the electors therein at any ~~general, special, judicial or local~~ election ~~authorized~~  
 3 ~~under s. 8.065~~. <sup>specified in</sup> The clerk of such municipality or the election commission of any city  
 4 of the first class shall thereupon submit the question to popular vote. Public notice  
 5 of the election shall be given in the same manner as in case of a regular municipal  
 6 election except that such notice shall be published or posted at least 20 days prior to  
 7 the election. If a majority of those voting on the question vote in the affirmative  
 8 thereon, this section shall be adopted in such municipality. The proposition on the  
 9 ballot to be used at such election shall be in substantially the following form:

10 Shall section 66.94 of the Wisconsin statutes which creates a metropolitan  
 11 transit authority for ownership and operation of a public mass transportation system  
 12 in the metropolitan district be adopted?

YES  NO

13 #page 808, line 25: after that line insert  
 14 (( SECTION 26. 67.05 (4) and (5) of the statutes are amended to read:  
 15 67.05 (4) PERMISSIVE REFERENDUM IN COUNTIES. If a county board adopts an

16 initial resolution for an issue of county bonds to provide for the original construction  
 17 or for the improvement and maintenance of highways, to provide railroad aid, or to  
 18 construct, acquire or maintain, or to aid in constructing, acquiring or maintaining  
 19 a bridge over or across any stream or other body of water bordering upon or  
 20 intersecting any part of the county, the county clerk is not required to submit the  
 21 resolution for approval to the electors of the county at a ~~special election~~ referendum  
 22 unless within 30 days after the adoption thereof there is filed with the clerk a petition  
 23 conforming to the requirements of s. 8.40 and requesting such submission, signed by  
 24 electors numbering at least 10% of the votes cast in the county for governor at the  
 25 last general election. If a petition is filed, the question submitted shall be whether

**BILL**

1 the resolution shall be or shall not be approved. No such resolution of a county board  
2 other than those specified in this subsection need be submitted to county electors,  
3 except as provided otherwise in sub. (7).

4 (5) REFERENDUM IN TOWNS, VILLAGES AND CITIES. (a) Whenever an initial  
5 resolution has been so adopted by the governing body of a town, the clerk of the  
6 municipality shall immediately record the resolution and call a ~~special election~~  
7 referendum in accordance with s. 8.065 for the purpose of submitting the resolution  
8 to the electors of the municipality for approval. This paragraph does not apply to  
9 bonds issued to finance low-interest mortgage loans under s. 66.38, unless a number  
10 of electors equal to at least 15% of the votes cast for governor at the last general  
11 election in their town sign and file a petition conforming to the requirements of s. 8.40  
12 with the town clerk requesting submission of the resolution. Whenever a number of  
13 electors cannot be determined on the basis of reported statistics, the number shall  
14 be determined in accordance with s. 60.74 (6). If a petition is filed, the question  
15 submitted shall be whether the resolution shall or shall not be approved. This  
16 paragraph is limited in its scope by sub. (7).

17 (b) No city or village may issue any bonds for any purposes other than for water  
18 systems, lighting works, gas works, bridges, street lighting, street improvements,  
19 street improvement funding, hospitals, airports, harbor improvements, river  
20 improvements, breakwaters and protection piers, sewerage, garbage disposal,  
21 rubbish or refuse disposal, any combination of sewage, garbage or refuse or rubbish  
22 disposal, parks and public grounds, swimming pools and band shells thereon,  
23 veterans housing projects, paying the municipality's portion of the cost of abolishing  
24 grade crossings, for the construction of police facilities and combined fire and police  
25 safety buildings, for the purchase of sites for engine houses, for fire engines and other

**BILL**

1 equipment of the fire department, for construction of engine houses, and for pumps,  
2 water mains, reservoirs and all other reasonable facilities for fire protection  
3 apparatus or equipment for fire protection, for parking lots or other parking  
4 facilities, for school purposes, for libraries, for buildings for the housing of machinery  
5 and equipment, for acquiring and developing sites for industry and commerce as will  
6 expand the municipal tax base, for financing the cost of low-interest mortgage loans  
7 under s. 66.38, for providing financial assistance to blight elimination, slum  
8 clearance, community development, redevelopment and urban renewal programs  
9 and projects under ss. 66.405 to 66.425, 66.43, 66.431, 66.4325, 66.435 and 66.46 or  
10 for university of Wisconsin system college campuses, as defined in s. 36.05 (6m), until  
11 the proposition for their issue for the special purpose thereof has been submitted to  
12 the electors of the city or village and adopted by a majority vote. Except as provided  
13 under sub. (15), if the common council of any city or the village board of any village  
14 declares its purpose to raise money by issuing bonds for any purpose other than those  
15 above specified, it shall direct by resolution, which shall be recorded at length in the  
16 record of its proceedings, the clerk to call a ~~special election~~ referendum in accordance  
17 with s. 8.065 for the purpose of submitting the question of bonding to the city or  
18 village electors. If a number of electors of a city or village equal to at least 15% of the  
19 votes cast for governor at the last general election in their city or village sign and file  
20 a petition conforming to the requirements of s. 8.40 with the city or village clerk  
21 requesting submission of the resolution, the city or village may not issue bonds for  
22 financing the cost of low-interest mortgage loans under s. 66.38 ~~without calling a~~  
23 ~~special election to submit the question of bonding to~~ unless the issuance is approved  
24 by the city or village electors for their approval at a referendum called in accordance  
25 with s. 8.065.

**BILL**

SECTION 27. 67.05 (6a) (a) 2. a. of the statutes is amended to read:

67.05 (6a) (a) 2. a. Direct the school district clerk to call a special election referendum in accordance with s. 8.065 (2) <sup>(2)</sup> or an election authorized under s. 8.065

~~(3)~~ for the purpose of submitting the resolution to the electors for approval or rejection, or direct that the resolution be submitted at the next regularly scheduled

primary or election permitted under s. 8.065 (2) <sup>(2)</sup> or an election authorized under s. 8.065 (3) to be held not earlier than 45 days after the adoption of the resolution. The

resolution shall not be effective unless adopted by a majority of the school district electors voting at the referendum. <sup>11</sup>

<sup>11</sup> SECTION 28. 67.05 (6m) (b) of the statutes is amended to read:

67.05 (6m) (b) If a referendum is to be held on an initial resolution, the district

board shall direct the technical college district secretary to call a special election referendum in accordance with s. 8.065 <sup>(2)</sup> for the purpose of submitting the initial

resolution to the electors for a referendum on approval or rejection. In lieu of a special election, the district board may specify that the election be held at the next

succeeding spring primary or election or September primary or general election. <sup>11</sup>

<sup>11</sup> SECTION 29. 67.10 (5) (b) of the statutes is amended to read:

67.10 (5) (b) Any city having voted approved the issuance of bonds at a special

referendum election held in accordance with s. 8.065 <sup>(2)</sup> and having sold a portion thereof may negotiate, sell or otherwise dispose of the same in the manner provided

by statute within 9 years of the date of the election voting the same. <sup>11</sup>

<sup>11</sup> SECTION 30. 67.12 (12) (e) 5. of the statutes is amended to read:

67.12 (12) (e) 5. Within 10 days of the adoption by a technical college district

board of a resolution under subd. 1. to issue a promissory note for a purpose under

s. 38.16 (2), the secretary of the district board shall publish a notice of such adoption

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

1648a  
K  
D

# Page 809, line 9: after that line insert:  
1648i + C

# Page 809, line 13: after that line insert:  
1649e + C

# Page 809, line 23: after that line insert:  
1649e + C

**BILL**

1 as a class 1 notice, under ch. 985. The notice need not set forth the full contents of  
2 the resolution, but shall state the amount proposed to be borrowed, the method of  
3 borrowing, the purpose thereof, that the resolution was adopted under this  
4 subsection and the place where and the hours during which the resolution is  
5 available for public inspection. If the amount proposed to be borrowed is for building  
6 remodeling or improvement and does not exceed \$500,000 or is for movable  
7 equipment, the district board need not submit the resolution to the electors for  
8 approval unless, within 30 days after the publication or posting, a petition  
9 conforming to the requirements of s. 8.40 is filed with the secretary of the district  
10 board requesting a referendum ~~at a special election~~ to be called for that purpose.  
11 Such petition shall be signed by electors from each county lying wholly or partially  
12 within the district. The number of electors from each county shall equal at least 1.5%  
13 of the population of the county as determined under s. 16.96 (2) (c). If a county lies  
14 in more than one district, the technical college system board shall apportion the  
15 county's population as determined under s. 16.96 (2) (c) to the districts involved and  
16 the petition shall be signed by electors equal to the appropriate percentage of the  
17 apportioned population. ~~In lieu of a special election, the district board may specify~~  
18 ~~that the referendum shall be held at the next succeeding spring primary or election~~  
19 ~~or September primary or general election.~~ Any resolution to borrow amounts of  
20 money in excess of \$500,000 for building remodeling or improvement shall be  
21 submitted to the electors of the district for approval. Any referendum under this  
22 subdivision shall be called at the next election authorized under s. 8.065 (2) or an  
23 election authorized under s. 8.065 (3) occurring not sooner than 45 days after filing  
24 of a petition or adoption of a resolution requiring the referendum. If a referendum  
25 is held or required under this subdivision, no promissory note may be issued until

**BILL**

1 the issuance is approved by a majority of the district electors voting at such  
 2 referendum. The referendum shall be noticed, called and conducted under s. 67.05  
 3 (6a) insofar as applicable, except that the notice of ~~special election~~ referendum and  
 4 ballot need not embody a copy of the resolution and the question which shall appear  
 5 on the ballot shall be "Shall .... (name of district) be authorized to borrow the sum of  
 6 \$.... for (state purpose) by issuing its general obligation promissory note (or notes)  
 7 under section 67.12 (12) of the Wisconsin Statutes?" "

8 *# page 958, line 14: after that line insert:*  
 " SECTION ~~31~~ 81.01 (3) (b) of the statutes is amended to read:  
 9 81.01 (3) (b) The town board by resolution submits to the electors of the town  
 10 as a referendum at a ~~general or special town~~ an election *specified in* ~~authorized under~~ s. 8.065  
 11 the question of exceeding the \$10,000 limit set under this subsection. The board shall  
 12 abide by the majority vote of the electors of the town on the question. The question  
 13 shall read as follows:

14 Shall the town of ... spend \$... over the annual limit of \$10,000 for the  
 15 construction and repair of its highways and bridges?

16 FOR SPENDING  AGAINST SPENDING  "   
 17 *# page 974, line 24: after that line insert:*  
 " SECTION ~~32~~ 86.21 (2) (a) of the statutes is amended to read:  
 18 86.21 (2) (a) Before any such toll bridge is constructed or acquired under this

19 section, a resolution authorizing the construction or acquisition thereof, and  
 20 specifying the method of payment therefor, shall be adopted by a majority of the  
 21 members of the governing body of such county, town, village or city at a regular  
 22 meeting, after publication of said resolution, as a class 2 notice, under ch. 985. The  
 23 resolution shall include a general description of the property it is proposed to acquire  
 24 or construct. Any county, town, village or city constructing or acquiring a toll bridge  
 25 under this section may provide for the payment of the same or any part thereof from

**BILL**

1 the general fund, from taxation, or from the proceeds of either municipal bonds,  
 2 revenue bonds or as otherwise provided by law. Such resolution shall not be effective  
 3 until 15 days after its passage and publication. If within said 15 days a petition  
 4 conforming to the requirements of s. 8.40 is filed with the clerk of such municipality  
 5 signed by at least 20% of the electors thereof requesting that the question of  
 6 acquiring such toll bridge be submitted to the said electors, such question shall be  
 7 submitted at ~~any general or regular municipal the next~~ election <sup>specified in</sup> ~~authorized under s.~~  
 8 ~~8.065 (2) or an election authorized under s. 8.065 (3)~~ that may be is held not less  
 9 ~~sooner than 10 nor more than 40~~ 45 days from the date of filing such petition. In case  
 10 ~~no such general or regular municipal election is to be held within such stated period,~~  
 11 ~~then the governing body of such municipality shall order a special election to be held~~  
 12 ~~within 30 days from the filing of such petition upon the question of whether such toll~~  
 13 ~~bridge shall be acquired by said municipality.~~ The question submitted to the electors  
 14 shall specify the method of payment for such toll bridge as provided in the resolution  
 15 for the acquisition thereof. If no such petition is filed, or if the majority of votes cast  
 16 at such referendum election are in favor of the acquisition of such toll bridge, then  
 17 the resolution of the governing body for the acquisition of such toll bridge shall be in  
 18 effect. "

" <sup>⓪</sup> # Page 1102, line 25: after that line insert:  
 " SECTION ~~33.~~ 117.20 of the statutes is amended to read:  
 206587⓪

**117.20 Referendum procedures.** (1) 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  
 occurring not sooner than 45 days 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

**BILL**

1 Monday in the 2nd November occurring not sooner than 45 days following receipt of  
2 the petition or adoption of the resolution under s. 117.105 (1).

3 (2) The clerk of each affected school district shall publish notice, as required  
4 under s. ~~8.55~~ 10.06 (4), in the territory of that school district. The procedures for  
5 school board elections under s. 120.06 (5), (9); (11), (13) and (14) apply to a  
6 referendum held under this section. The school board and school district clerk of each  
7 affected school district shall each perform, for that school district, the functions  
8 assigned to the school board and the school district clerk, respectively, under those  
9 subsections. The form of the ballot shall correspond to the form prescribed by the  
10 elections board under ss. 5.64 (2) and 7.08 (1) (a). The clerk of each affected school  
11 district shall file with the secretary of the board a certified statement prepared by  
12 the school district board of canvassers of the results of the referendum in that school  
13 district.

*# page 1119, line 8: after that line insert:  
SECTION 33. 119.48 (4) (b) and (c) of the statutes are amended to read:  
2/14/00*

14 SECTION 33. 119.48 (4) (b) and (c) of the statutes are amended to read:  
15 119.48 (4) (b) The communication shall state the purposes for which the funds  
16 from the increase in the levy rate will be used and shall request the common council  
17 to submit to the voters of the city the question of exceeding the levy rate specified in  
18 s. 65.07 (1) (f) at the ~~September election or a special an~~ election ~~authorized under s.~~

19 8.065 <sup>(2)</sup> ~~authorized under s.~~ *specified in*

20 (c) Upon receipt of the communication, the common council shall cause the  
21 question of exceeding the levy rate specified under s. 65.07 (1) (f) to be submitted to  
22 the voters of the city at the ~~September election or at a special~~ next ~~election~~ ~~authorized~~  
23 ~~under s. 8.065 (2) or an election authorized under s. 8.065 (3)~~ *specified in*  
24 than 45 days after receipt of the communication. The question of exceeding the levy  
25 rate specified under s. 65.07 (1) (f) shall be submitted upon a separate ballot or in

**BILL**

1 some other manner so that the vote upon exceeding the levy rate specified in s. 65.07  
 2 (1) (f) is taken separately from any other question submitted to the voters. If a  
 3 majority of the electors voting on the question favors exceeding the levy rate specified  
 4 under s. 65.07 (1) (f), the common council shall approve the increase in the levy rate  
 5 and shall levy and collect a tax equal to the amount of money approved by the  
 6 electors.

7 <sup>2116a</sup> SECTION 35.1 119.49 (1) (b) ~~added~~ <sup>is</sup> of the statutes ~~are~~ amended to read:

8 119.49 (1) (b) The communication shall state the amount of funds needed under  
 9 par. (a) and the purposes for which the funds will be used and shall request the  
 10 common council to submit to the voters of the city at the next election ~~authorized~~  
 11 ~~under s. 8.065 (2) or an election authorized under s. 8.065 (2)~~ <sup>specified in</sup> to be held in the city  
 12 not sooner than 45 days after receipt of the communication the question of issuing  
 13 school bonds in the amount and for the purposes stated in the communication.

14 <sup>SECTION 2116b. AM; 119.49(2)</sup> 119.49 (2) Upon receipt of the communication, the common council shall cause the  
 15 question of issuing such school bonds in the stated amount and for the stated school  
 16 purposes to be submitted to the voters of the city at the next election held in the city  
 17 ~~authorized under s. 8.065 (2) or an election authorized under s. 8.065 (2)~~ <sup>specified in</sup> that occurs  
 18 not sooner than 45 days after the date of receipt of the communication. The question  
 19 of issuing such school bonds shall be submitted upon a separate ballot or in some  
 20 other manner so that the vote upon issuing such school bonds is taken separately  
 21 from any other question submitted to the voters. If a majority of the electors voting  
 22 on the school bond question favors issuing such school bonds, the common council  
 23 shall cause the school bonds to be issued immediately or within the period permitted  
 24 by law, in the amount requested by the board and in the manner other bonds are  
 25 issued. <sup>''</sup> 0

**BILL**

*# Page 1135, line 3: after that line insert:*

1

SECTION 36. 121.91 (3) (a) of the statutes is amended to read:

2 121.91 (3) (a) If a school board wishes to exceed the limit under sub. (2m)

3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

otherwise applicable to the school district in any school year, it shall promptly adopt  
a resolution supporting inclusion in the final school district budget of an amount  
equal to the proposed excess revenue. The resolution shall specify whether the  
proposed excess revenue is for a recurring or nonrecurring purpose, or, if the  
proposed excess revenue is for both recurring and nonrecurring purposes, the  
amount of the proposed excess revenue for each purpose. Within 10 days after  
adopting the resolution, the school board shall notify the department of the  
scheduled date of the referendum and submit a copy of the resolution to the  
department. The school board shall call a special referendum in accordance with s.  
8.065 for the purpose of submitting the resolution to the electors of the school district  
for approval or rejection. ~~In lieu of a special referendum, the school board may~~  
~~specify that the referendum be held at the next succeeding spring primary or election~~  
~~or September primary or general election, if such election is, to be held not earlier~~  
sooner than 35 days after the adoption of the resolution of the school board. The  
school district clerk shall certify the results of the referendum to the department  
within 10 days after the referendum is held.

*# Page 1186, line 9: after that line insert:*

SECTION 37. 197.04 (1) (b) and (2) of the statutes are amended to read:

197.04 (1) (b) If within either of the 90-day periods described in par. (a) a

petition conforming to the requirements of s. 8.40 is filed with the clerk of the  
municipality and the petition has been signed by 5% of the electors of a 1st class city  
or by 10% of the electors of all other municipalities requesting that the question of  
discontinuing the proceeding to acquire the plant or equipment of the public utility  
be submitted to the electors of the municipality, the applicable question under par.

**BILL**

1 (c) shall be submitted to the electors at ~~any general or regular municipal~~ the  
 2 ~~succeeding election authorized under s. 8.065 (2) or an election authorized under s.~~  
 3 ~~8.065 (3)~~ that ~~may be~~ is held not less than 30, and not more than 35, days from the  
 4 date of the filing of the petition. ~~If no general election or regular municipal election~~  
 5 ~~is to be held within the stated periods, the governing body of the municipality shall~~  
 6 ~~order the holding of a special election for the purpose of submitting the question to~~  
 7 ~~the electors.~~

8 (2) The governing body of the municipality may provide for notice of, the  
 9 manner of holding s, the method of voting on, the method of making returns of, and  
 10 the method of canvassing and determining the result of, the election required under  
 11 sub. (1). Notice of the election to the electors shall be given by a brief notice of that  
 12 fact once a week for 3 weeks in some newspaper of general circulation published in  
 13 the municipality. If no newspaper of general circulation is published in the  
 14 municipality, publication may be made in any newspaper of general circulation in the  
 15 county seat of the county in which the municipality is located. ~~The notice of holding~~  
 16 ~~any special election shall be incorporated as a part of the notice given under this~~  
 17 ~~subsection.~~

18 SECTION 38. 197.10 (2) of the statutes is amended to read:

19 197.10 (2) Such contract when adopted by the common council of said city and  
 20 accepted by the owner or owners of such public utility shall be submitted to the public  
 21 service commission for its approval and upon such approval the same shall be  
 22 submitted in such manner as the common council shall determine to a vote of the  
 23 electors of such city at the next ~~regular municipal~~ election or at a special election  
 24 called for that purpose ~~authorized under s. 8.065 (2) or an election authorized under~~  
 25 ~~s. 8.065 (3)~~ to be held not sooner than 45 days after approval of the commission, and

**BILL**

1 such contract shall not become binding upon such city until approved by a majority  
 2 vote of the qualified electors of such city voting thereon. No bonds shall in any case  
 3 be issued by said city under the contract or contracts mentioned in sub. (1), until the  
 4 proposition of their issue shall have been submitted to the people of such city and  
 5 adopted by a majority of the electors voting thereon.

6 **SECTION 39.** 198.19 (1) of the statutes is amended to read:

7 198.19 (1) Any territory, constituting one or more municipalities contiguous to  
 8 a district may be annexed to and become a part of such district to all intents and  
 9 purposes and with like effect as though originally included therein upon such terms  
 10 and conditions as the board of directors of the district shall fix by ordinance adopted  
 11 by the affirmative vote of two-thirds of the directors-elect, provided that before such  
 12 ordinance becomes effective the same shall be accepted and ratified by the  
 13 affirmative vote of a majority of the qualified electors entitled to vote and voting in  
 14 a ~~special election~~ referendum called and held for that purpose, in accordance with  
 15 s. 8.065, in each municipality proposed in such ordinance to be annexed to the  
 16 district. Such ordinance shall be published and such election shall be noticed, held  
 17 and conducted, as nearly as may be, in the manner provided by this chapter for the  
 18 noticing, holding and conduct of elections upon the organization of a municipal power  
 19 district, except that the returns of such election and the ballots therein shall be  
 20 delivered to the clerk of the district. The results of said election shall be canvassed  
 21 publicly by the directors of the district. "

**SECTION 40. Initial applicability.**

22  
 23 (1) This act first applies with respect to referenda called on the effective date  
 24 of this subsection.

(END)

25  
 ✓ # Page 16/7, line 16: after that line insert:

1999

Nonstat File Sequence: **EEE**

LRB \_\_\_\_\_ / \_\_\_\_\_

**INITIAL APPLICABILITY**

- 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
- 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; .....

EFF DATES

*(4P) SCHEDULING OF REFERENDA BY LOCAL GOVERNMENTS*

The treatment of sections 7.15(2)(d), 8.05(3)(d) and (e), 8.06, 8.065, 9.20(4), 24.66(3)(b) and (4), 32.72(1), 59.08(7)(b), 60.62(2), 60.74(5)(b), 61.187(1), 61.46(1), 62.09(1)(a), 64.03(1), 64.39(3), 66.01(8), 66.059(2m)(b), 66.061(1)(c), 66.075(5), 66.081(2), 66.521(10)(d), 66.77(3)(a) i, 66.94(4), 67.05(4), (5), (6a)(a) 2. a. and (6m)(b), 67.10(5)(b), 67.12(12)(e) 5, 81.01(3)(b), 86.21(2)(a), 117.20, 119.48(4)(b) and (c), 119.49(1)(b) and (2), 121.91(3)(a), 197.04(1)(b) and (2), 197.10(2) and 198.19(1) of the statutes first applies with respect to referenda called on the effective date of this subsection.

(end)

- In the component bar:  
 For the action phrase, execute: ..... create → action: → \*NS: → inappl  
 For the text, execute: ..... create → text: → \*NS: → inapplA
- 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 ) ( ) ..... This act first applies to .....



WANTED SOON

ARC:.....Rindfleisch - Am # 26, Scheduling of referenda by local governments

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

CAUCUS AMENDMENT

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO 1999 ASSEMBLY BILL 133

- 1           At the locations indicated, amend the substitute amendment as follows:
- 2           **1.** Page 6, line 7: after that line insert:
- 3           “SECTION 1jm. 7.15 (2) (d) of the statutes is amended to read:
- 4           7.15 (2) (d) Whenever the governing body of any municipality submits any
- 5 question to a vote of the electors or whenever a proper recall petition and certificate
- 6 are filed under s. 9.10, the municipal clerk shall issue a call for the election and
- 7 prepare and distribute ballots as required in the authorization of submission or as
- 8 provided in s. 9.10. The date of the referendum shall be established in accordance
- 9 with s. 8.065, and shall be fixed by the municipal clerk or board of election
- 10 commissioners unless otherwise provided by law or unless the governing body fixes

1 a date. The ballot for any referendum shall conform to s. 5.64 (2). If there is already  
2 an official municipal referendum ballot for the election, the question may appear on  
3 the same ballot.

4 **SECTION 1jn.** 8.05 (3) (d) and (e) of the statutes are amended to read:

5 8.05 (3) (d) The question of adoption of the nonpartisan primary under this  
6 subsection may be submitted to the electors at any regular election <sup>authorized under</sup> ~~specified in s.~~  
7 8.065 (2) held in the town ~~or at a special election called for the purpose~~. When a  
8 petition conforming to the requirements of s. 8.40 signed by at least 20 electors of the  
9 town is filed with the town clerk so requesting, the question shall be submitted to a  
10 vote.

11 (e) Petitions requesting a vote on the question at a regular town election shall  
12 be filed no later than 5 p.m. the last Tuesday in February. When the petition is filed,  
13 the clerk shall check its sufficiency. ~~Whether at a regular or special election, the~~ The  
14 clerk shall give separate notice by one publication in a newspaper at least 5 days  
15 before the election.

16 **SECTION 1jo.** 8.06 of the statutes is amended to read:

17 **8.06 Special elections may be called.** Towns, cities, villages and school  
18 districts may call special elections for any purpose whenever such action is  
19 authorized or required by law. If an election is called for a special referendum, the  
20 election shall be called and noticed under as provided in s. 8.55.

21 **SECTION 1jp.** 8.065 of the statutes is created to read:

22 **8.065 Scheduling of referenda.** (1) In this section, "local governmental  
23 unit" has the meaning given in s. 16.97 (7).

24 (2) ~~Unless otherwise required by law, a referendum held by any local~~  
25 ~~governmental unit that is authorized or required by law to hold a referendum may~~

FNS  
2-23  
↓

1 only be held concurrently with the spring primary, spring election, September  
2 primary or general election, or on the first Tuesday after the first Monday of  
3 November of an odd-numbered year.

4 (3) Unless otherwise required by law, no referendum submitted by the same  
5 local governmental unit relating to substantially similar subject matter or relating  
6 to authorization for the borrowing of money may be held more than once in any  
7 12-month period.

8 SECTION 1jq. 9.20 (4) of the statutes is amended to read:

9 9.20 (4) The common council or village board shall, without alteration, either  
10 pass the ordinance or resolution within 30 days following the date of the clerk's final  
11 certificate, or submit it to the electors at the next spring or general election ~~specified~~  
12 ~~in s. 8.065 (2)~~, if the election is more than 6 weeks after the date of the council's or  
13 board's action on the petition or the expiration of the 30-day period, whichever first  
14 occurs. If there are 6 weeks or less before the election, the ordinance or resolution  
15 shall be voted on at the next election ~~specified in s. 8.065 (2)~~ thereafter. The council  
16 or board by a three-fourths vote of the members ~~elect~~ may order a special election ~~under~~  
17 ~~for the purpose of voting on the ordinance or resolution at any time prior to the next~~  
18 ~~election, but not more than one special election for direct legislation may be ordered~~  
19 ~~in any 6-month period."~~

20 2. Page 462, line 19: after that line insert:

21 "SECTION 691c. 24.66 (3) (b) of the statutes is amended to read:

22 24.66 (3) (b) For long-term loans by unified school districts. Every application  
23 for a loan, the required repayment of which exceeds 10 years, shall be approved and  
24 authorized for a unified school district by a majority vote of the members of the school

INS  
3-19

1 board at a regular or special meeting of the school board. Every vote so required shall  
2 be by ayes and noes duly recorded. In addition, the application shall be approved for  
3 a unified school district by a majority vote of the electors of the school district at a  
4 ~~special election~~ referendum as provided under sub. (4).

5 **SECTION 691d.** 24.66 (4) of the statutes is amended to read:

6 24.66 (4) POPULAR VOTE, WHEN REQUIRED. If any municipality is not empowered  
7 by law to incur indebtedness for a particular purpose without first submitting the  
8 question to its electors, the application for a state trust fund loan for that purpose  
9 must be approved and authorized by a majority vote of the electors at a ~~special~~  
10 ~~election~~ referendum called, in accordance with s. 8.065, and noticed and held in the  
11 manner provided for other ~~special elections~~ referenda. The notice of the ~~election~~  
12 referendum shall state the amount of the proposed loan and the purpose for which  
13 it will be used.”.

14 **3.** Page 502, line 14: after that line insert:

15 “SECTION 882m. 32.72 (1) of the statutes is amended to read:

16 32.72 (1) Sections 32.50 to 32.71 do not take effect in any city until the following  
17 question is submitted to the electors of the city at a ~~special election~~ referendum called  
18 in accordance with s. 8.065 and adopted by a majority vote of the electors voting:  
19 “Shall subchapter II of chapter 32, Wisconsin Statutes, be effective in the city of  
20 ....., thus allowing the city to acquire and condemn property for street  
21 widening and similar purposes, financed through assessments of benefits and  
22 damages?”.”.

23 **4.** Page 759, line 14: after that line insert:

24 “SECTION 1575m. 59.08 (7) (b) of the statutes is amended to read:

1           59.08 (7) (b) The question of the consolidation of the counties shall be submitted  
2 to the voters at the next election, ~~specified in s. 8.065 (2)~~ <sup>authorized under</sup> ~~to be held on the first Tuesday~~ <sup>or an election authorized</sup>  
3 ~~in April, or the next regular election, or at a special election to be held on a date~~ <sup>under</sup>  
4 ~~specified in the order which shall be no sooner than 45 days after the day fixed in date~~ <sup>8.065(3)</sup>  
5 ~~of the order issued under par. (a), which day date shall be the same in each of the~~  
6 ~~counties proposing to consolidate. A copy of the order shall be filed with the county~~  
7 ~~clerk of each of the counties. If the question of consolidation is submitted at a special~~  
8 ~~election, it shall be held not less than 30 days nor more than 60 days from the~~  
9 ~~completion of the consolidation agreement, but not within 60 days of any spring or~~  
10 ~~general election.”.~~

11           **5.** Page 763, line 23: after that line insert:

12           “SECTION 1582mp. 60.62 (2) of the statutes is amended to read:

13           60.62 (2) If the county in which the town is located has enacted a zoning  
14 ordinance under s. 59.69, the exercise of the authority under sub. (1) is subject to  
15 approval by the town meeting or by a referendum vote of the electors of the town to  
16 be held at the time of any regular or special election in accordance with s. 8.065.”.

17           **6.** Page 764, line 25: after that line insert:

18           “SECTION 1585m. 60.74 (5) (b) of the statutes is amended to read:

19           60.74 (5) (b) A petition conforming to the requirements of s. 8.40 signed by  
20 qualified electors of the district equal to at least 20% of the vote cast for governor in  
21 the district at the last gubernatorial election, requesting a change to appointment  
22 of commissioners, may be submitted to the town board, subject to sub. (5m) (a). Upon  
23 receipt of the petition, the town board shall submit the question to a referendum at  
24 the next regular spring election or general election, or shall call a special election for

1 ~~that purpose specified in s. 8.065 (2)~~ <sup>authorized under</sup> ~~to be held not sooner than 45 days after receipt~~ <sup>or an election authorized under s. 8.065 (2)</sup>  
 2 of the petition. The inspectors shall count the votes and submit a statement of the  
 3 results to the commission. The commission shall canvass the results of the election  
 4 and certify the results to the town board which has authority to appoint  
 5 commissioners.

6 SECTION 1587m. 61.187 (1) of the statutes is amended to read:

7 61.187 (1) PROCEDURE. Whenever a petition conforming to the requirements  
 8 of s. 8.40, signed by at least one-third as many electors of any village as voted for  
 9 village officers at the next preceding election therefor, shall be presented to the  
 10 village board praying for dissolution of the village corporation, such board shall  
 11 submit to the electors of such village, for determination by ballot in substantially the  
 12 manner provided by ss. 5.64 (2) and 10.02, at a general election or at a special election  
 13 ~~called by them for that purpose the next election specified in s. 8.065 (2)~~ <sup>authorized under</sup> ~~to be held~~ <sup>or an election</sup>  
 14 not sooner than 45 days after presentation of the petition, the question whether or <sup>authorized</sup>  
 15 not such village corporation shall be dissolved. <sup>under</sup>  
<sup>s. 8.065 (2)</sup>

16 SECTION 1587o. 61.46 (1) of the statutes is amended to read:

17 61.46 (1) GENERAL; LIMITATION. The village board shall, on or before December  
 18 15 in each year, by resolution to be entered of record, determine the amount of  
 19 corporation taxes to be levied and assessed on the taxable property in such village  
 20 for the current year. Before levying any tax for any specified purpose, exceeding one  
 21 percent of the assessed valuation aforesaid, the village board shall, and in all other  
 22 cases may in its discretion, submit the question of levying the same to the village  
 23 ~~electors at any general or special the next election specified in s. 8.065 (2)~~ <sup>authorized under</sup> ~~to be held~~ <sup>or an election</sup>  
 24 no sooner than 45 days after submission by giving 10 days' notice thereof prior to <sup>authorized</sup>  
 25 such election by publication in a newspaper published in the village, if any, and if <sup>under</sup>  
<sup>s. 8.065 (2)</sup>

1 there is none, then by posting notices in 3 public places in said village, setting forth  
2 in such notices the object and purposes for which such taxes are to be raised and the  
3 amount of the proposed tax.

4 **SECTION 1587q.** 62.09 (1) (a) of the statutes is amended to read:

5 62.09 (1) (a) The officers shall be a mayor, treasurer, clerk, comptroller;  
6 attorney, engineer, one or more assessors unless the city is assessed by a county  
7 assessor under s. 70.99, one or more constables as determined by the common  
8 council, a local health officer, as defined in s. 250.01 (5), or local board of health, as  
9 defined in s. 250.01 (3), street commissioner, board of police and fire commissioners  
10 except in cities where not applicable, chief of police, chief of the fire department,  
11 board of public works, 2 alderpersons from each aldermanic district, and such other  
12 officers or boards as are created by law or by the council. If one alderperson from each  
13 aldermanic district is provided under s. 66.018 (1), the council may, by ordinance  
14 adopted by a two-thirds vote of all its members and approved by the electors at a  
15 ~~general or special~~ <sup>authorized under</sup> ~~any election specified in s. 8.065~~ <sup>1/2</sup>, provide that there shall be 2  
16 alderpersons from each aldermanic district.”

17 **7.** Page 768, line 24: after that line insert:

18 “**SECTION 1592m.** 64.03 (1) of the statutes is amended to read:

19 64.03 (1) Every ordinance or resolution for the adoption of ss. 64.01 to 64.15,  
20 and every petition for a special election referendum on the same, shall state the  
21 number of members of which the council herein provided for shall be composed, the  
22 term of office of its members, which term shall not exceed 2 years, whether they shall  
23 be nominated and elected from aldermanic districts or from the city at large, and the  
24 compensation, if any, which they shall receive.

1           **SECTION 1592n.** 64.39 (3) of the statutes is amended to read:

2           64.39 (3) Upon filing such petition, the mayor shall, by proclamation, submit  
3 the questions prescribed in sub. (1) at ~~a special~~ the next election specified in s. 8.065  
4 ~~(2) to be held at a time specified therein and within 2 months not sooner than 45 days~~  
5 after such petition is filed. The election upon such question shall be conducted, the  
6 vote canvassed, and the result declared in the same manner as provided by law for  
7 other city elections.

8           **SECTION 1592r.** 66.01 (8) of the statutes is amended to read:

9           66.01 (8) Every charter, charter amendment or charter ordinance enacted or  
10 approved by a vote of the electors shall control and prevail over any prior or  
11 subsequent act of the legislative body of the city or village. Whenever the electors  
12 of any city or village by a majority vote have adopted or determined to continue to  
13 operate under either ch. 62 or 64, or have determined the method of selection of  
14 members of the governing board, the question shall not again be submitted to the  
15 electors, nor action taken thereon within a period of 2 years. Any election to change  
16 or amend the charter of any city or village, other than ~~a special~~ an election as  
17 ~~provided in called under~~ s. 9.20 (4), shall be held at the time provided by statute for  
18 holding the spring election.”.

19           **8.** Page 778, line 5: after that line insert:

20           “**SECTION 1608c.** 66.059 (2m) (b) of the statutes is amended to read:

21           66.059 (2m) (b) If a referendum is to be held on a resolution, the municipal  
22 governing body shall direct the municipal clerk to ~~call a special election for the~~  
23 ~~purpose of submitting~~ submit the resolution to the electors for approval of the  
24 ~~electors at a referendum on approval or rejection. In lieu of a special election, the~~

1 ~~municipal governing body may specify that the election be held at the next~~  
 2 ~~succeeding spring primary or election or September primary or general election~~  
 3 ~~called in accordance with s. 8.065.~~

4 SECTION 1608d. 66.061 (1) (c) of the statutes is amended to read:

5 66.061 (1) (c) No such ordinance shall be operative until 60 days after passage  
 6 and publication unless sooner approved by a referendum. Within that time electors  
 7 equal in number to 20 per cent of those voting at the last regular municipal election,  
 8 may demand a referendum. The demand shall be in writing and filed with the clerk.  
 9 Each signer shall state his or her occupation and residence and signatures shall be  
 10 verified by the affidavit of an elector. The referendum shall be held at the next  
 11 ~~regular municipal election, or at a special election within 90 days of the specified in~~  
 12 ~~s. 8.065 (2) to be held not sooner than 45 days after filing of the demand, and the~~  
 13 ordinance shall not be effective unless approved by a majority of the votes cast  
 14 thereon. This paragraph shall not apply to extensions by a utility previously  
 15 franchised by the village or city.

16 SECTION 1608e. 66.075 (5) of the statutes is amended to read:

17 66.075 (5) The provisions of this section shall apply only to such counties, cities,  
 18 villages and towns as shall have adopted the same at any general or municipal  
 19 election at which the question of the establishment of such county or municipal  
 20 slaughterhouse shall have been submitted to the voters of such county, city, village  
 21 or town. Such question shall, upon the filing of a petition conforming to the  
 22 requirements of s. 8.40 by electors of such county, city, village or town equal in  
 23 number to at least 10% of all the votes cast in such county, city, village or town for  
 24 governor at the last preceding general election, be submitted to the electors of such  
 25 county, city, village or town at the next ensuing election, ~~specified in s. 8.065 (2) to be~~

*authorized under*  
*or an election*  
*authorized under*  
*s. 8.065 (3)*

1 held not sooner than 45 days after filing of the petition, and if a majority of votes cast  
2 shall be in favor of the establishment of such slaughterhouse, the provisions of this  
3 section shall apply to such county, city, village or town.”.

4 **9.** Page 800, line 2: after that line insert:

5 “SECTION 1637a. 66.504 (2) of the statutes is amended to read:

6 66.504 (2) FACILITIES AUTHORIZED. A municipality may enter into a joint  
7 contract with a nonprofit corporation organized for civic purposes and located in the  
8 municipality to construct or otherwise acquire, equip, furnish, operate and maintain  
9 a facility to be used for municipal and civic activities if a majority of the voters voting  
10 in a referendum at a special election or at a spring primary or election or September  
11 ~~primary or general~~ an election authorized under s. 8.065 (2) approve the question of  
12 entering into the joint contract.”

13 **10.** Page 800, line 12: after that line insert:

14 “SECTION 1637w. 66.521 (10) (d) of the statutes is amended to read:

15 66.521 (10) (d) The governing body may issue bonds under this section without  
16 submitting the proposition to the electors of the municipality for approval unless  
17 within 30 days from the date of publication of notice of adoption of the initial  
18 resolution for such bonds, a petition conforming to the requirements of s. 8.40, and  
19 signed by a number of electors of the municipality equal to not less than 5% of the  
20 ~~registered electors of the municipality~~, or, if there is no registration of electors in the  
21 municipality, by 10% of the number of electors of the municipality voting for the office  
22 of governor at the last general election as determined under s. 115.01 (13), is filed  
23 with the clerk of the municipality requesting a referendum upon the question of the  
24 issuance of the bonds. If such a petition is filed, the bonds shall not be issued until

1 approved by a majority of the electors of the municipality voting thereon at a general  
2 ~~or special election referendum called in accordance with s. 8.065.~~”.

3 **11.** Page 806, line 20: after that line insert:

4 “SECTION 1638n. 66.77 (3) (a) 1. of the statutes is amended to read:

5 66.77 (3) (a) 1. If the governing body of a county wishes to exceed the operating  
6 levy rate limit otherwise applicable to the county under this section, it shall adopt  
7 a resolution to that effect. The resolution shall specify either the operating levy rate  
8 or the operating levy that the governing body wishes to impose for either a specified  
9 number of years or an indefinite period. The governing body shall call a special  
10 referendum for the purpose of submitting the resolution to the electors of the county  
11 for approval or rejection. ~~In lieu of a special referendum, the governing body may~~  
12 ~~specify that provide for the referendum to be held at the next succeeding spring~~  
13 ~~primary or election or September primary or general election to be held specified in~~  
14 ~~s. 8.065 (2) that occurs not earlier than 30 days after the adoption of the resolution~~  
15 of the governing body.

16 SECTION 1640m. 66.94 (4) of the statutes is amended to read:

17 66.94 (4) MANNER OF ADOPTION. This section may be adopted by any city, village  
18 or town within the metropolitan district in the following manner: The governing body  
19 of any municipality, by ordinance passed at least 30 days prior to submission of the  
20 question, may direct that the question of the adoption of this section be submitted  
21 to the electors therein at any ~~general, special, judicial or local election, specified in~~  
22 ~~s. 8.065 (4).~~ <sup>authorized under</sup> The clerk of such municipality or the election commission of any city of  
23 the first class shall thereupon submit the question to popular vote. Public notice of  
24 the election shall be given in the same manner as in case of a regular municipal

1 election except that such notice shall be published or posted at least 20 days prior to  
2 the election. If a majority of those voting on the question vote in the affirmative  
3 thereon, this section shall be adopted in such municipality. The proposition on the  
4 ballot to be used at such election shall be in substantially the following form:

5 Shall section 66.94 of the Wisconsin statutes which creates a metropolitan  
6 transit authority for ownership and operation of a public mass transportation system  
7 in the metropolitan district be adopted?

8 YES  NO .

9 **12.** Page 808, line 25: after that line insert:

10 **"SECTION 1647m.** 67.05 (4) and (5) of the statutes are amended to read:

11 67.05 (4) PERMISSIVE REFERENDUM IN COUNTIES. If a county board adopts an  
12 initial resolution for an issue of county bonds to provide for the original construction  
13 or for the improvement and maintenance of highways, to provide railroad aid, or to  
14 construct, acquire or maintain, or to aid in constructing, acquiring or maintaining  
15 a bridge over or across any stream or other body of water bordering upon or  
16 intersecting any part of the county, the county clerk is not required to submit the  
17 resolution for approval to the electors of the county at a ~~special election~~ referendum  
18 unless within 30 days after the adoption thereof there is filed with the clerk a petition  
19 conforming to the requirements of s. 8.40 and requesting such submission, signed by  
20 electors numbering at least 10% of the votes cast in the county for governor at the  
21 last general election. If a petition is filed, the question submitted shall be whether  
22 the resolution shall be or shall not be approved. No such resolution of a county board  
23 other than those specified in this subsection need be submitted to county electors,  
24 except as provided otherwise in sub. (7).

1           (5) REFERENDUM IN TOWNS, VILLAGES AND CITIES. (a) Whenever an initial  
2 resolution has been so adopted by the governing body of a town, the clerk of the  
3 municipality shall immediately record the resolution and call a ~~special election~~  
4 referendum in accordance with s. 8.065 for the purpose of submitting the resolution  
5 to the electors of the municipality for approval. This paragraph does not apply to  
6 bonds issued to finance low-interest mortgage loans under s. 66.38, unless a number  
7 of electors equal to at least 15% of the votes cast for governor at the last general  
8 election in their town sign and file a petition conforming to the requirements of s. 8.40  
9 with the town clerk requesting submission of the resolution. Whenever a number of  
10 electors cannot be determined on the basis of reported statistics, the number shall  
11 be determined in accordance with s. 60.74 (6). If a petition is filed, the question  
12 submitted shall be whether the resolution shall or shall not be approved. This  
13 paragraph is limited in its scope by sub. (7).

14           (b) No city or village may issue any bonds for any purposes other than for water  
15 systems, lighting works, gas works, bridges, street lighting, street improvements,  
16 street improvement funding, hospitals, airports, harbor improvements, river  
17 improvements, breakwaters and protection piers, sewerage, garbage disposal,  
18 rubbish or refuse disposal, any combination of sewage, garbage or refuse or rubbish  
19 disposal, parks and public grounds, swimming pools and band shells thereon,  
20 veterans housing projects, paying the municipality's portion of the cost of abolishing  
21 grade crossings, for the construction of police facilities and combined fire and police  
22 safety buildings, for the purchase of sites for engine houses, for fire engines and other  
23 equipment of the fire department, for construction of engine houses, and for pumps,  
24 water mains, reservoirs and all other reasonable facilities for fire protection  
25 apparatus or equipment for fire protection, for parking lots or other parking

1 facilities, for school purposes, for libraries, for buildings for the housing of machinery  
2 and equipment, for acquiring and developing sites for industry and commerce as will  
3 expand the municipal tax base, for financing the cost of low-interest mortgage loans  
4 under s. 66.38, for providing financial assistance to blight elimination, slum  
5 clearance, community development, redevelopment and urban renewal programs  
6 and projects under ss. 66.405 to 66.425, 66.43, 66.431, 66.4325, 66.435 and 66.46 or  
7 for university of Wisconsin system college campuses, as defined in s. 36.05 (6m), until  
8 the proposition for their issue for the special purpose thereof has been submitted to  
9 the electors of the city or village and adopted by a majority vote. Except as provided  
10 under sub. (15), if the common council of any city or the village board of any village  
11 declares its purpose to raise money by issuing bonds for any purpose other than those  
12 above specified, it shall direct by resolution, which shall be recorded at length in the  
13 record of its proceedings, the clerk to call a ~~special election~~ referendum in accordance  
14 with s. 8.065 for the purpose of submitting the question of bonding to the city or  
15 village electors. If a number of electors of a city or village equal to at least 15% of the  
16 votes cast for governor at the last general election in their city or village sign and file  
17 a petition conforming to the requirements of s. 8.40 with the city or village clerk  
18 requesting submission of the resolution, the city or village may not issue bonds for  
19 financing the cost of low-interest mortgage loans under s. 66.38 ~~without calling a~~  
20 ~~special election to submit the question of bonding to~~ unless the issuance is approved  
21 by the city or village electors for their approval at a referendum called in accordance  
22 with s. 8.065.

23 SECTION 1648a. 67.05 (6a) (a) 2. a. of the statutes is amended to read:

24 67.05 (6a) (a) 2. a. Direct the school district clerk to call a ~~special election~~  
25 referendum in accordance with s. 8.065 (2) <sup>or a referendum authorized under</sup> for the purpose of submitting the <sup>9.</sup>

8.065(3)

1 resolution to the electors for approval or rejection, ~~or direct that the resolution be~~  
2 ~~submitted at the next regularly scheduled primary or election permitted under s.~~  
3 ~~8.065 (2)~~ or an election authorized under s. 8.065 (3) to be held not earlier than 45 days after the adoption of the resolution. The  
4 resolution shall not be effective unless adopted by a majority of the school district  
5 electors voting at the referendum.”.

6 **13.** Page 809, line 9: after that line insert:

7 “SECTION 1648i. 67.05 (6m) (b) of the statutes is amended to read:

8 67.05 (6m) (b) If a referendum is to be held on an initial resolution, the district  
9 board shall direct the technical college district secretary to call a ~~special election~~  
10 referendum in accordance with s. 8.065 (2) for the purpose of submitting the initial  
11 resolution to the electors for ~~a referendum on approval or rejection. In lieu of a~~  
12 ~~special election, the district board may specify that the election be held at the next~~  
13 ~~succeeding spring primary or election or September primary or general election.”.~~

14 **14.** Page 809, line 13: after that line insert:

15 “SECTION 1648s. 67.10 (5) (b) of the statutes is amended to read:

16 67.10 (5) (b) Any city having ~~voted~~ approved the issuance of bonds at a special  
17 referendum election held in accordance with s. 8.065 (2) and having sold a portion  
18 thereof may negotiate, sell or otherwise dispose of the same in the manner provided  
19 by statute within 9 years of the date of the election voting the same.”.

20 **15.** Page 809, line 23: after that line insert:

21 “SECTION 1649e. 67.12 (12) (e) 5. of the statutes is amended to read:

22 67.12 (12) (e) 5. Within 10 days of the adoption by a technical college district  
23 board of a resolution under subd. 1. to issue a promissory note for a purpose under  
24 s. 38.16 (2), the secretary of the district board shall publish a notice of such adoption

1 as a class 1 notice, under ch. 985. The notice need not set forth the full contents of  
2 the resolution, but shall state the amount proposed to be borrowed, the method of  
3 borrowing, the purpose thereof, that the resolution was adopted under this  
4 subsection and the place where and the hours during which the resolution is  
5 available for public inspection. If the amount proposed to be borrowed is for building  
6 remodeling or improvement and does not exceed \$500,000 or is for movable  
7 equipment, the district board need not submit the resolution to the electors for  
8 approval unless, within 30 days after the publication or posting, a petition  
9 conforming to the requirements of s. 8.40 is filed with the secretary of the district  
10 board requesting a referendum ~~at a special election~~ to be called for that purpose.  
11 Such petition shall be signed by electors from each county lying wholly or partially  
12 within the district. The number of electors from each county shall equal at least 1.5%  
13 of the population of the county as determined under s. 16.96 (2) (c). If a county lies  
14 in more than one district, the technical college system board shall apportion the  
15 county's population as determined under s. 16.96 (2) (c) to the districts involved and  
16 the petition shall be signed by electors equal to the appropriate percentage of the  
17 apportioned population. ~~In lieu of a special election, the district board may specify~~  
18 ~~that the referendum shall be held at the next succeeding spring primary or election~~  
19 ~~or September primary or general election.~~ Any resolution to borrow amounts of  
20 money in excess of \$500,000 for building remodeling or improvement shall be  
21 submitted to the electors of the district for approval. Any referendum under this  
22 subdivision shall be called at the next election authorized under s. 8.065(2) occurring  
23 not sooner than 45 days after filing of a petition or adoption of a resolution requiring  
24 the referendum. If a referendum is held or required under this subdivision, no  
25 promissory note may be issued until the issuance is approved by a majority of the

1 district electors voting at such referendum. The referendum shall be noticed, called  
2 and conducted under s. 67.05 (6a) insofar as applicable, except that the notice of  
3 ~~special election referendum~~ and ballot need not embody a copy of the resolution and  
4 the question which shall appear on the ballot shall be “Shall .... (name of district) be  
5 authorized to borrow the sum of \$.... for (state purpose) by issuing its general  
6 obligation promissory note (or notes) under section 67.12 (12) of the Wisconsin  
7 Statutes?”.”.

8 **16.** Page 958, line 14: after that line insert:

9 “SECTION 1818Lm. 81.01 (3) (b) of the statutes is amended to read:

10 81.01 (3) (b) The town board by resolution submits to the electors of the town  
11 as a referendum at a ~~general or special town~~ <sup>advisorial under</sup> ~~an~~ election, ~~specified in~~ s. 8.065 the  
12 question of exceeding the \$10,000 limit set under this subsection. The board shall  
13 abide by the majority vote of the electors of the town on the question. The question  
14 shall read as follows:

15 Shall the town of ... spend \$... over the annual limit of \$10,000 for the  
16 construction and repair of its highways and bridges?

17 FOR SPENDING  AGAINST SPENDING .

18 **17.** Page 974, line 24: after that line insert:

19 “SECTION 1855t. 86.21 (2) (a) of the statutes is amended to read:

20 86.21 (2) (a) Before any such toll bridge is constructed or acquired under this  
21 section, a resolution authorizing the construction or acquisition thereof, and  
22 specifying the method of payment therefor, shall be adopted by a majority of the  
23 members of the governing body of such county, town, village or city at a regular  
24 meeting, after publication of said resolution, as a class 2 notice, under ch. 985. The

1 resolution shall include a general description of the property it is proposed to acquire  
 2 or construct. Any county, town, village or city constructing or acquiring a toll bridge  
 3 under this section may provide for the payment of the same or any part thereof from  
 4 the general fund, from taxation, or from the proceeds of either municipal bonds,  
 5 revenue bonds or as otherwise provided by law. Such resolution shall not be effective  
 6 until 15 days after its passage and publication. If within said 15 days a petition  
 7 conforming to the requirements of s. 8.40 is filed with the clerk of such municipality  
 8 signed by at least 20% of the electors thereof requesting that the question of  
 9 acquiring such toll bridge be submitted to the said electors, such question shall be  
 10 submitted at ~~any general or regular municipal~~ <sup>authorized under</sup> the next election specified in s. 8.065  
 11 ~~(2) that may be held not less sooner than 10 nor more than 40 45~~ <sup>or an election authorized under s. 8.065(3)</sup> days from the date  
 12 of filing such petition. ~~In case no such general or regular municipal election is to be~~  
 13 ~~held within such stated period, then the governing body of such municipality shall~~  
 14 ~~order a special election to be held within 30 days from the filing of such petition upon~~  
 15 ~~the question of whether such toll bridge shall be acquired by said municipality. The~~  
 16 question submitted to the electors shall specify the method of payment for such toll  
 17 bridge as provided in the resolution for the acquisition thereof. If no such petition  
 18 is filed, or if the majority of votes cast at such referendum election are in favor of the  
 19 acquisition of such toll bridge, then the resolution of the governing body for the  
 20 acquisition of such toll bridge shall be in effect.”.

21 **18.** Page 1102, line 25: after that line insert:

22 “SECTION 2065q. 117.20 of the statutes is amended to read:

23 **117.20 Referendum procedures.** (1) If a referendum is required under ss.  
 24 117.08 to 117.11, it shall be held on the Tuesday after the first Monday in November

1 occurring not sooner than 45 days following receipt of the petition or adoption of the  
2 resolution under s. 117.08 (3) (a), 117.09 (3) (a), 117.10 (3) (a) or 117.11 (4) (a). If a  
3 referendum is required under s. 117.105, it shall be held on the Tuesday after the first  
4 Monday in the 2nd November occurring not sooner than 45 days following receipt of  
5 the petition or adoption of the resolution under s. 117.105 (1).

6 (2) The clerk of each affected school district shall publish notice, as required  
7 under s. 8.55 10.06 (4), in the territory of that school district. The procedures for  
8 school board elections under s. 120.06 (5), (9), (11), (13) and (14) apply to a  
9 referendum held under this section. The school board and school district clerk of each  
10 affected school district shall each perform, for that school district, the functions  
11 assigned to the school board and the school district clerk, respectively, under those  
12 subsections. The form of the ballot shall correspond to the form prescribed by the  
13 elections board under ss. 5.64 (2) and 7.08 (1) (a). The clerk of each affected school  
14 district shall file with the secretary of the board a certified statement prepared by  
15 the school district board of canvassers of the results of the referendum in that school  
16 district.”

17 **19.** Page 1119, line 8: after that line insert:

18 “SECTION 2114a. 119.48 (4) (b) and (c) of the statutes are amended to read:

19 119.48 (4) (b) The communication shall state the purposes for which the funds  
20 from the increase in the levy rate will be used and shall request the common council  
21 to submit to the voters of the city the question of exceeding the levy rate specified in  
22 s. 65.07 (1) (f) at the September election or a special an election <sup>authorized under</sup> ~~specified in~~ s. 8.065

23

1 (c) Upon receipt of the communication, the common council shall cause the  
 2 question of exceeding the levy rate specified under s. 65.07 (1) (f) to be submitted to  
 3 the voters of the city at the ~~September election or at a special next election specified~~  
 4 ~~in s. 8.065 (2)~~ <sup>authorized under</sup> to be held not sooner than 45 days after receipt of the communication.  
 5 <sup>or an election authorized under s. 8.065 (3)</sup>  
 6 The question of exceeding the levy rate specified under s. 65.07 (1) (f) shall be  
 7 submitted upon a separate ballot or in some other manner so that the vote upon  
 8 exceeding the levy rate specified in s. 65.07 (1) (f) is taken separately from any other  
 9 question submitted to the voters. If a majority of the electors voting on the question  
 10 favors exceeding the levy rate specified under s. 65.07 (1) (f), the common council  
 11 shall approve the increase in the levy rate and shall levy and collect a tax equal to  
 12 the amount of money approved by the electors.

12 **SECTION 2116a.** 119.49 (1) (b) of the statutes is amended to read:

13 119.49 (1) (b) The communication shall state the amount of funds needed under  
 14 par. (a) and the purposes for which the funds will be used and shall request the  
 15 common council to submit to the voters of the city at the next election <sup>authorized under</sup> specified in s.  
 16 8.065 (2) <sup>or an election authorized under s. 8.065 (3)</sup> to be held in the city not sooner than 45 days after receipt of the  
 17 communication the question of issuing school bonds in the amount and for the  
 18 purposes stated in the communication.

19 **SECTION 2116b.** 119.49 (2) of the statutes is amended to read:

20 119.49 (2) Upon receipt of the communication, the common council shall cause  
 21 the question of issuing such school bonds in the stated amount and for the stated  
 22 school purposes to be submitted to the voters of the city at the next election held in  
 23 the city <sup>authorized under</sup> specified in s. 8.065 (2) <sup>or an election authorized under s. 8.065 (3)</sup> that occurs not sooner than 45 days after the date of  
 24 receipt of the communication. The question of issuing such school bonds shall be  
 25 submitted upon a separate ballot or in some other manner so that the vote upon

1 issuing such school bonds is taken separately from any other question submitted to  
2 the voters. If a majority of the electors voting on the school bond question favors  
3 issuing such school bonds, the common council shall cause the school bonds to be  
4 issued immediately or within the period permitted by law, in the amount requested  
5 by the board and in the manner other bonds are issued.”.

6 **20.** Page 1135, line 3: after that line insert:

7 “SECTION 2156a. 121.91 (3) (a) of the statutes is amended to read:

8 121.91 (3) (a) If a school board wishes to exceed the limit under sub. (2m)  
9 otherwise applicable to the school district in any school year, it shall promptly adopt  
10 a resolution supporting inclusion in the final school district budget of an amount  
11 equal to the proposed excess revenue. The resolution shall specify whether the  
12 proposed excess revenue is for a recurring or nonrecurring purpose, or, if the  
13 proposed excess revenue is for both recurring and nonrecurring purposes, the  
14 amount of the proposed excess revenue for each purpose. Within 10 days after  
15 adopting the resolution, the school board shall notify the department of the  
16 scheduled date of the referendum and submit a copy of the resolution to the  
17 department. The school board shall call a special referendum in accordance with s.  
18 8.065 for the purpose of submitting the resolution to the electors of the school district  
19 for approval or rejection. ~~In lieu of a special referendum, the school board may~~  
20 ~~specify that the referendum be held at the next succeeding spring primary or election~~  
21 ~~or September primary or general election, if such election is, to be held not earlier~~  
22 sooner than 35 days after the adoption of the resolution of the school board. The  
23 school district clerk shall certify the results of the referendum to the department  
24 within 10 days after the referendum is held.”.

1           **21.** Page 1186, line 9: after that line insert:

2           “SECTION 2336s. 197.04 (1) (b) and (2) of the statutes are amended to read:

3           197.04 (1) (b) If within either of the 90-day periods described in par. (a) a  
4           petition conforming to the requirements of s. 8.40 is filed with the clerk of the  
5           municipality and the petition has been signed by 5% of the electors of a 1st class city  
6           or by 10% of the electors of all other municipalities requesting that the question of  
7           discontinuing the proceeding to acquire the plant or equipment of the public utility  
8           be submitted to the electors of the municipality, the applicable question under par.

9           (c) shall be submitted to the electors at ~~any general or regular municipal the~~  
10           succeeding election <sup>authorized under</sup> ~~specified in s. 8.065 (2)~~ <sup>or an election authorized under s. 8.065</sup> that may be held not less than 30, and <sup>(3)</sup>  
11           not more than 35, days from the date of the filing of the petition. ~~If no general election~~  
12           ~~or regular municipal election is to be held within the stated periods, the governing~~  
13           ~~body of the municipality shall order the holding of a special election for the purpose~~  
14           ~~of submitting the question to the electors.~~

15           (2) The governing body of the municipality may provide for notice of, the  
16           manner of holding s, the method of voting on, the method of making returns of, and  
17           the method of canvassing and determining the result of, the election required under  
18           sub. (1). Notice of the election to the electors shall be given by a brief notice of that  
19           fact once a week for 3 weeks in some newspaper of general circulation published in  
20           the municipality. If no newspaper of general circulation is published in the  
21           municipality, publication may be made in any newspaper of general circulation in the  
22           county seat of the county in which the municipality is located. ~~The notice of holding~~  
23           ~~any special election shall be incorporated as a part of the notice given under this~~  
24           ~~subsection.~~

1           **SECTION 2336u.** 197.10 (2) of the statutes is amended to read:

2           197.10 (2) Such contract when adopted by the common council of said city and  
3           accepted by the owner or owners of such public utility shall be submitted to the public  
4           service commission for its approval and upon such approval the same shall be  
5           submitted in such manner as the common council shall determine to a vote of the  
6           electors of such city at the next ~~regular municipal election or at a special election~~  
7           called for that purpose ~~specified in s. 8.065 (2)~~ authorized under or an election authorized under s.  
8           approval of the commission, and such contract shall not become binding upon such 8.065  
9           city until approved by a majority vote of the qualified electors of such city voting (3)  
10          thereon. No bonds shall in any case be issued by said city under the contract or  
11          contracts mentioned in sub. (1), until the proposition of their issue shall have been  
12          submitted to the people of such city and adopted by a majority of the electors voting  
13          thereon.

14          **SECTION 2336w.** 198.19 (1) of the statutes is amended to read:

15          198.19 (1) Any territory, constituting one or more municipalities contiguous to  
16          a district may be annexed to and become a part of such district to all intents and  
17          purposes and with like effect as though originally included therein upon such terms  
18          and conditions as the board of directors of the district shall fix by ordinance adopted  
19          by the affirmative vote of two-thirds of the directors—elect, provided that before such  
20          ordinance becomes effective the same shall be accepted and ratified by the  
21          affirmative vote of a majority of the qualified electors entitled to vote and voting in  
22          a ~~special election referendum~~ referendum called and held for that purpose, in accordance with  
23          s. 8.065, in each municipality proposed in such ordinance to be annexed to the  
24          district. Such ordinance shall be published and such election shall be noticed, held  
25          and conducted, as nearly as may be, in the manner provided by this chapter for the

1 noticing, holding and conduct of elections upon the organization of a municipal power  
 2 district, except that the returns of such election and the ballots therein shall be  
 3 delivered to the clerk of the district. The results of said election shall be canvassed  
 4 publicly by the directors of the district.”

5 **22.** Page 1617, line 16: after that line insert:

6 “(4p) SCHEDULING OF REFERENDA BY LOCAL GOVERNMENTS. The treatment of  
 7 sections 7.15 (2)(d), 8.05 (3)(d) and (e), 8.06, 8.065, 9.20 (4), 24.66 (3) (b) and (4), 32.72  
 8 (1), 59.08 (7) (b), 60.62 (2), 60.74 (5) (b), 61.187 (1), 61.46 (1), 62.09 (1) (a), 64.03 (1),  
 9 64.39 (3), 66.01 (8), 66.059 (2m) (b), 66.061 (1) (c), 66.075 (5), 66.504 (2), 66.521 (10)  
 10 (d), 66.77 (3)(a) 1., 66.94 (4), 67.05 (4), (5), (6a)(a) 2. a. and (6m)(b), 67.10 (5) (b), 67.12  
 11 (12) (e) 5., 81.01 (3) (b), 86.21 (2) (a), 117.20, 119.48 (4) (b) and (c), 119.49 (1) (b) and  
 12 (2), 121.91 (3) (a), 197.04 (1) (b) and (2), 197.10 (2) and 198.19 (1) of the statutes first  
 13 applies with respect to referenda called on the effective date of this subsection.”

14

(END)

A handwritten note in a circle, written in black ink. The text inside the circle reads "do not include ref to s. 15 615". A vertical line is drawn through the text, and an arrow points from the right side of the circle towards the right margin of the page.

## BILL

INS 2-23:1

1       8.05 (3) (d) ~~The question of adoption of the nonpartisan primary under this~~  
2 ~~subsection may be submitted to the electors at any regular election authorized under~~  
3 ~~s. 8.065 held in the town or at a special election called for the purpose.~~ When a  
4 petition conforming to the requirements of s. 8.40 signed by at least 20 electors of the  
5 town is filed with the town clerk so requesting, the question shall be submitted to a  
6 vote.

7       (e) Petitions requesting a vote on the question at a regular town election shall  
8 be filed no later than 5 p.m. the last Tuesday in February. When the petition is filed,  
9 the clerk shall check its sufficiency. ~~Whether at a regular or special election, the~~ The  
10 clerk shall give separate notice by one publication in a newspaper at least 5 days  
11 before the election.

12       **SECTION 3.** 8.06 of the statutes is amended to read:

13       **8.06 Special elections may be called.** Towns, cities, villages and school  
14 districts may call special elections for any purpose whenever such action is  
15 authorized or required by law. If an election is called for a special referendum, the  
16 election shall be called and noticed under as provided in s. 8.55.

17       **SECTION 4.** 8.065 of the statutes is created to read:

18       **8.065 Scheduling of referenda.** (1) In this section, "local governmental  
19 unit" has the meaning given in s. 16.97 (7).

20       (2) Unless otherwise required by law or unless authorized under sub. (3), a  
21 referendum held by any local governmental unit that is authorized or required by  
22 law to hold a referendum may only be held concurrently with the spring primary,  
23 spring election, September primary or general election, or on the first Tuesday after  
24 the first Monday of November of an odd-numbered year. Unless otherwise required  
25 by law or unless authorized under sub. (3), no referendum submitted by the same

**BILL**

JWS 2-23:2

1 local governmental unit relating to substantially similar subject matter or relating  
2 to authorization for the borrowing of money may be held more than once in any  
3 12-month period.

4 (3) If a local governmental unit wishes to hold a special referendum on a date  
5 that is not concurrent with an election specified in s. 5.02 (5), (18), (21) or (22) or on  
6 a date other than the first Tuesday after the first Monday in November of an  
7 odd-numbered year, the local governmental unit may petition the referendum  
8 appeal board for a determination that an emergency exists with respect to a  
9 particular question. The referendum appeal board shall make a determination  
10 within 10 days after receipt of a petition under this subsection. If the referendum  
11 appeal board finds, with the concurrence of at least 4 members, that an emergency  
12 exists which requires a special referendum to be held by a local governmental unit  
13 on a date that is not concurrent with an election specified in s. 5.02 (5), (18), (21) or  
14 (22) or on a date other than the first Tuesday after the first Monday in November of  
15 an odd-numbered year, the board may permit a referendum relating to the question  
16 specified in the petition to be held on a date determined by the local governmental  
17 unit.

18 **SECTION 5.** 9.20 (4) of the statutes is amended to read:

19 9.20 (4) The common council or village board shall, without alteration, either  
20 pass the ordinance or resolution within 30 days following the date of the clerk's final  
21 certificate, or submit it to the electors at the next spring or general election  
22 authorized under s. 8.065, if the election is more than 6 weeks after the date of the  
23 council's or board's action on the petition or the expiration of the 30-day period,  
24 whichever first occurs. If there are 6 weeks or less before the election, the ordinance  
25 or resolution shall be voted on at the next election authorized under s. 8.065 (2) or

## BILL

INS 3-19

1 ~~an election authorized under s. 8.065 (3) thereafter. The council or board by a~~  
 2 ~~three-fourths vote of the members elect may order a special election for the purpose~~  
 3 ~~of voting on the ordinance or resolution at any time prior to the next election, but not~~  
 4 ~~more than one special election for direct legislation may be ordered in any 6-month~~  
 5 ~~period.~~ Page 28, line 14: after that line insert.

6 SECTION 6. 15.615 of the statutes is created to read:

7 **15.615 Same; attached boards. (2) REFERENDUM APPEAL BOARD.** There is  
 8 created a referendum appeal board which is attached to the elections board under  
 9 s. 15.03. The board shall consist of the governor, the senate majority leader, the  
 10 senate minority leader, the speaker of the assembly and the assembly minority  
 11 leader or the designees of these persons. Members of the board shall serve for  
 12 indefinite terms. " (C)

13 SECTION 7. ~~24.66 (3) (b) of the statutes is amended to read:~~

14 ~~24.66 (3) (b) For long-term loans by unified school districts. Every application~~  
 15 ~~for a loan, the required repayment of which exceeds 10 years, shall be approved and~~  
 16 ~~authorized for a unified school district by a majority vote of the members of the school~~  
 17 ~~board at a regular or special meeting of the school board. Every vote so required shall~~  
 18 ~~be by ayes and noes duly recorded. In addition, the application shall be approved for~~  
 19 ~~a unified school district by a majority vote of the electors of the school district at a~~  
 20 ~~special election referendum as provided under sub. (4).~~

21 SECTION 8. 24.66 (4) of the statutes is amended to read:

22 ~~24.66 (4) POPULAR VOTE, WHEN REQUIRED. If any municipality is not empowered~~  
 23 ~~by law to incur indebtedness for a particular purpose without first submitting the~~  
 24 ~~question to its electors, the application for a state trust fund loan for that purpose~~  
 25 ~~must be approved and authorized by a majority vote of the electors at a special~~

---

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

LRBb0793/2dn  
JTK.....

Per your instructions, this redraft substitutes the text of 1999 AB-105, as introduced (not the engrossed bill), for the original drafting instructions. The major change that results is that AB-105 creates a state appeal board, which is empowered to permit referenda to be held on dates other than those normally permitted under the draft.

Jeffery T. Kuesel  
Managing Attorney  
Phone: (608) 266-6778

---

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

LRBb0793/2dn  
JTK:wlj:jf

June 25, 1999

Per your instructions, this redraft substitutes the text of 1999 AB-105, as introduced (not the engrossed bill), for the original drafting instructions. The major change that results is that AB-105 creates a state appeal board, which is empowered to permit referenda to be held on dates other than those normally permitted under the draft.

Jeffery T. Kuesel  
Managing Attorney  
Phone: (608) 266-6778



State of Wisconsin  
1999 - 2000 LEGISLATURE

LRBb0793/2  
JTK:wlj:jf

ARC:.....Rindfleisch – Am #26, Scheduling of referenda by local governments

FOR 1999-01 BUDGET — NOT READY FOR INTRODUCTION

**CAUCUS AMENDMENT**

**TO ASSEMBLY SUBSTITUTE AMENDMENT 1,**

**TO 1999 ASSEMBLY BILL 133**

1 At the locations indicated, amend the substitute amendment as follows:

2 **1.** Page 6, line 7: after that line insert:

3 **“SECTION 1jm.** 7.15 (2) (d) of the statutes is amended to read:

4 7.15 (2) (d) Whenever the governing body of any municipality submits any  
5 question to a vote of the electors or whenever a proper recall petition and certificate  
6 are filed under s. 9.10, the municipal clerk shall issue a call for the election and  
7 prepare and distribute ballots as required in the authorization of submission or as  
8 provided in s. 9.10. The date of the referendum shall be established in accordance  
9 with s. 8.065, and shall be fixed by the municipal clerk or board of election  
10 commissioners unless otherwise provided by law or unless the governing body fixes

1 a date. The ballot for any referendum shall conform to s. 5.64 (2). If there is already  
2 an official municipal referendum ballot for the election, the question may appear on  
3 the same ballot.

4 **SECTION 1jn.** 8.05 (3) (d) and (e) of the statutes are amended to read:

5 8.05 (3) (d) The question of adoption of the nonpartisan primary under this  
6 subsection may be submitted to the electors at any ~~regular~~ election authorized under  
7 s. 8.065 held in the town ~~or at a special election called for the purpose~~. When a  
8 petition conforming to the requirements of s. 8.40 signed by at least 20 electors of the  
9 town is filed with the town clerk so requesting, the question shall be submitted to a  
10 vote.

11 (e) Petitions requesting a vote on the question at a regular town election shall  
12 be filed no later than 5 p.m. the last Tuesday in February. When the petition is filed,  
13 the clerk shall check its sufficiency. ~~Whether at a regular or special election, the~~ The  
14 clerk shall give separate notice by one publication in a newspaper at least 5 days  
15 before the election.

16 **SECTION 1jo.** 8.06 of the statutes is amended to read:

17 **8.06 Special elections may be called.** Towns, cities, villages and school  
18 districts may call special elections for any purpose whenever such action is  
19 authorized or required by law. If an election is called for a special referendum, the  
20 election shall be called and noticed ~~under~~ as provided in s. 8.55.

21 **SECTION 1jp.** 8.065 of the statutes is created to read:

22 **8.065 Scheduling of referenda.** (1) In this section, "local governmental  
23 unit" has the meaning given in s. 16.97 (7).

24 (2) Unless otherwise required by law or unless authorized under sub. (3), a  
25 referendum held by any local governmental unit that is authorized or required by

1 law to hold a referendum may only be held concurrently with the spring primary,  
2 spring election, September primary or general election, or on the first Tuesday after  
3 the first Monday of November of an odd-numbered year. Unless otherwise required  
4 by law or unless authorized under sub. (3), no referendum submitted by the same  
5 local governmental unit relating to substantially similar subject matter or relating  
6 to authorization for the borrowing of money may be held more than once in any  
7 12-month period.

8 (3) If a local governmental unit wishes to hold a special referendum on a date  
9 that is not concurrent with an election specified in s. 5.02 (5), (18), (21) or (22) or on  
10 a date other than the first Tuesday after the first Monday in November of an  
11 odd-numbered year, the local governmental unit may petition the referendum  
12 appeal board for a determination that an emergency exists with respect to a  
13 particular question. The referendum appeal board shall make a determination  
14 within 10 days after receipt of a petition under this subsection. If the referendum  
15 appeal board finds, with the concurrence of at least 4 members, that an emergency  
16 exists which requires a special referendum to be held by a local governmental unit  
17 on a date that is not concurrent with an election specified in s. 5.02 (5), (18), (21) or  
18 (22) or on a date other than the first Tuesday after the first Monday in November of  
19 an odd-numbered year, the board may permit a referendum relating to the question  
20 specified in the petition to be held on a date determined by the local governmental  
21 unit.

22 **SECTION 1jq.** 9.20 (4) of the statutes is amended to read:

23 9.20 (4) The common council or village board shall, without alteration, either  
24 pass the ordinance or resolution within 30 days following the date of the clerk's final  
25 certificate, or submit it to the electors at the next ~~spring or general~~ election

1 authorized under s. 8.065, if the election is more than 6 weeks after the date of the  
2 council's or board's action on the petition or the expiration of the 30-day period,  
3 whichever first occurs. If there are 6 weeks or less before the election, the ordinance  
4 or resolution shall be voted on at the next election authorized under s. 8.065 (2) or  
5 an election authorized under s. 8.065 (3) thereafter. ~~The council or board by a~~  
6 ~~three-fourths vote of the members elect may order a special election for the purpose~~  
7 ~~of voting on the ordinance or resolution at any time prior to the next election, but not~~  
8 ~~more than one special election for direct legislation may be ordered in any 6-month~~  
9 ~~period."~~

10 **2.** Page 28, line 14: after that line insert:

11 "SECTION 39m. 15.615 of the statutes is created to read:

12 **15.615 Same; attached boards. (2) REFERENDUM APPEAL BOARD.** There is  
13 created a referendum appeal board which is attached to the elections board under  
14 s. 15.03. The board shall consist of the governor, the senate majority leader, the  
15 senate minority leader, the speaker of the assembly and the assembly minority  
16 leader or the designees of these persons. Members of the board shall serve for  
17 indefinite terms."

18 **3.** Page 462, line 19: after that line insert:

19 "SECTION 691c. 24.66 (3) (b) of the statutes is amended to read:

20 24.66 (3) (b) *For long-term loans by unified school districts.* Every application  
21 for a loan, the required repayment of which exceeds 10 years, shall be approved and  
22 authorized for a unified school district by a majority vote of the members of the school  
23 board at a regular or special meeting of the school board. Every vote so required shall  
24 be by ayes and noes duly recorded. In addition, the application shall be approved for

1 a unified school district by a majority vote of the electors of the school district at a  
2 ~~special election~~ referendum as provided under sub. (4).

3 **SECTION 691d.** 24.66 (4) of the statutes is amended to read:

4 24.66 (4) POPULAR VOTE, WHEN REQUIRED. If any municipality is not empowered  
5 by law to incur indebtedness for a particular purpose without first submitting the  
6 question to its electors, the application for a state trust fund loan for that purpose  
7 must be approved and authorized by a majority vote of the electors at a ~~special~~  
8 ~~election~~ referendum called, in accordance with s. 8.065, and noticed and held in the  
9 manner provided for other ~~special elections~~ referenda. The notice of the ~~election~~  
10 referendum shall state the amount of the proposed loan and the purpose for which  
11 it will be used.”.

12 **4.** Page 502, line 14: after that line insert:

13 “**SECTION 882m.** 32.72 (1) of the statutes is amended to read:

14 32.72 (1) Sections 32.50 to 32.71 do not take effect in any city until the following  
15 question is submitted to the electors of the city at a ~~special election~~ referendum called  
16 in accordance with s. 8.065 and adopted by a majority vote of the electors voting:  
17 “Shall subchapter II of chapter 32, Wisconsin Statutes, be effective in the city of  
18 ....., thus allowing the city to acquire and condemn property for street  
19 widening and similar purposes, financed through assessments of benefits and  
20 damages?”.”.

21 **5.** Page 759, line 14: after that line insert:

22 “**SECTION 1575m.** 59.08 (7) (b) of the statutes is amended to read:

23 59.08 (7) (b) The question of the consolidation of the counties shall be submitted  
24 to the voters at the next election authorized under s. 8.065 (2) or an election

1 authorized under 8.065 (3) to be held on the first Tuesday in April, or the next regular  
2 election, or at a special election to be held on a date specified in the order which shall  
3 be no sooner than 45 days after the day fixed in date of the order issued under par.  
4 (a), which day date shall be the same in each of the counties proposing to consolidate.  
5 A copy of the order shall be filed with the county clerk of each of the counties. ~~If the~~  
6 ~~question of consolidation is submitted at a special election, it shall be held not less~~  
7 ~~than 30 days nor more than 60 days from the completion of the consolidation~~  
8 ~~agreement, but not within 60 days of any spring or general election.”.~~

9 **6.** Page 763, line 23: after that line insert:

10 **“SECTION 1582mp.** 60.62 (2) of the statutes is amended to read:

11 60.62 (2) If the county in which the town is located has enacted a zoning  
12 ordinance under s. 59.69, the exercise of the authority under sub. (1) is subject to  
13 approval by the town meeting or by a referendum vote of the electors of the town to  
14 be held at the time of any regular or special election in accordance with s. 8.065.”.

15 **7.** Page 764, line 25: after that line insert:

16 **“SECTION 1585m.** 60.74 (5) (b) of the statutes is amended to read:

17 60.74 (5) (b) A petition conforming to the requirements of s. 8.40 signed by  
18 qualified electors of the district equal to at least 20% of the vote cast for governor in  
19 the district at the last gubernatorial election, requesting a change to appointment  
20 of commissioners, may be submitted to the town board, subject to sub. (5m) (a). Upon  
21 receipt of the petition, the town board shall submit the question to a referendum at  
22 the next ~~regular spring election or general election, or shall call a special election for~~  
23 ~~that purpose~~ authorized under s. 8.065 (2) or an election authorized under s. 8.065  
24 (3) to be held not sooner than 45 days after receipt of the petition. The inspectors

1 shall count the votes and submit a statement of the results to the commission. The  
2 commission shall canvass the results of the election and certify the results to the  
3 town board which has authority to appoint commissioners.

4 **SECTION 1587m.** 61.187 (1) of the statutes is amended to read:

5 61.187 (1) PROCEDURE. Whenever a petition conforming to the requirements  
6 of s. 8.40, signed by at least one-third as many electors of any village as voted for  
7 village officers at the next preceding election therefor, shall be presented to the  
8 village board praying for dissolution of the village corporation, such board shall  
9 submit to the electors of such village, for determination by ballot in substantially the  
10 manner provided by ss. 5.64 (2) and 10.02, ~~at a general election or at a special election~~  
11 ~~called by them for that purpose~~ the next election authorized under s. 8.065 (2) or an  
12 election authorized under s. 8.065 (3) to be held not sooner than 45 days after  
13 presentation of the petition, the question whether or not such village corporation  
14 shall be dissolved.

15 **SECTION 1587o.** 61.46 (1) of the statutes is amended to read:

16 61.46 (1) GENERAL; LIMITATION. The village board shall, on or before December  
17 15 in each year, by resolution to be entered of record, determine the amount of  
18 corporation taxes to be levied and assessed on the taxable property in such village  
19 for the current year. Before levying any tax for any specified purpose, exceeding one  
20 percent of the assessed valuation aforesaid, the village board shall, and in all other  
21 cases may in its discretion, submit the question of levying the same to the village  
22 electors at ~~any general or special~~ the next election authorized under s. 8.065 (2) or  
23 an election authorized under s. 8.065 (3) to be held no sooner than 45 days after  
24 submission by giving 10 days' notice thereof prior to such election by publication in  
25 a newspaper published in the village, if any, and if there is none, then by posting

1 notices in 3 public places in said village, setting forth in such notices the object and  
2 purposes for which such taxes are to be raised and the amount of the proposed tax.

3 **SECTION 1587q.** 62.09 (1) (a) of the statutes is amended to read:

4 62.09 (1) (a) The officers shall be a mayor, treasurer, clerk, comptroller,  
5 attorney, engineer, one or more assessors unless the city is assessed by a county  
6 assessor under s. 70.99, one or more constables as determined by the common  
7 council, a local health officer, as defined in s. 250.01 (5), or local board of health, as  
8 defined in s. 250.01 (3), street commissioner, board of police and fire commissioners  
9 except in cities where not applicable, chief of police, chief of the fire department,  
10 board of public works, 2 alderpersons from each aldermanic district, and such other  
11 officers or boards as are created by law or by the council. If one alderperson from each  
12 aldermanic district is provided under s. 66.018 (1), the council may, by ordinance  
13 adopted by a two-thirds vote of all its members and approved by the electors at a  
14 ~~general or special~~ any election authorized under s. 8.065, provide that there shall be  
15 2 alderpersons from each aldermanic district.”.

16 **8.** Page 768, line 24: after that line insert:

17 **“SECTION 1592m.** 64.03 (1) of the statutes is amended to read:

18 64.03 (1) Every ordinance or resolution for the adoption of ss. 64.01 to 64.15,  
19 and every petition for a ~~special election~~ referendum on the same, shall state the  
20 number of members of which the council herein provided for shall be composed, the  
21 term of office of its members, which term shall not exceed 2 years, whether they shall  
22 be nominated and elected from aldermanic districts or from the city at large, and the  
23 compensation, if any, which they shall receive.

24 **SECTION 1592n.** 64.39 (3) of the statutes is amended to read:

1           64.39 (3) Upon filing such petition, the mayor shall, by proclamation, submit  
2 the questions prescribed in sub. (1) at ~~a special~~ the next election ~~specified in s. 8.065~~  
3 (2) or an election authorized under s. 8.065 (3) to be held at ~~a time specified therein~~  
4 ~~and within 2 months~~ not sooner than 45 days after such petition is filed. The election  
5 upon such question shall be conducted, the vote canvassed, and the result declared  
6 in the same manner as provided by law for other city elections.

7           **SECTION 1592r.** 66.01 (8) of the statutes is amended to read:

8           66.01 (8) Every charter, charter amendment or charter ordinance enacted or  
9 approved by a vote of the electors shall control and prevail over any prior or  
10 subsequent act of the legislative body of the city or village. Whenever the electors  
11 of any city or village by a majority vote have adopted or determined to continue to  
12 operate under either ch. 62 or 64, or have determined the method of selection of  
13 members of the governing board, the question shall not again be submitted to the  
14 electors, nor action taken thereon within a period of 2 years. Any election to change  
15 or amend the charter of any city or village, other than ~~a special~~ an election as  
16 ~~provided in~~ called under s. 9.20 (4), shall be held at the time provided by statute for  
17 holding the spring election.”

18           **9.** Page 778, line 5: after that line insert:

19           **“SECTION 1608c.** 66.059 (2m) (b) of the statutes is amended to read:

20           66.059 (2m) (b) If a referendum is to be held on a resolution, the municipal  
21 governing body shall direct the municipal clerk to ~~call a special election for the~~  
22 ~~purpose of submitting~~ submit the resolution to the electors for approval of the  
23 electors at a referendum on approval or rejection. ~~In lieu of a special election, the~~  
24 ~~municipal governing body may specify that the election be held at the next~~

1 ~~succeeding spring primary or election or September primary or general election~~  
2 ~~called in accordance with s. 8.065.~~

3 **SECTION 1608d.** 66.061 (1) (c) of the statutes is amended to read:

4 66.061 (1) (c) No such ordinance shall be operative until 60 days after passage  
5 and publication unless sooner approved by a referendum. Within that time electors  
6 equal in number to 20 per cent of those voting at the last regular municipal election,  
7 may demand a referendum. The demand shall be in writing and filed with the clerk.  
8 Each signer shall state his or her occupation and residence and signatures shall be  
9 verified by the affidavit of an elector. The referendum shall be held at the next  
10 ~~regular municipal election, or at a special election within 90 days of the~~ authorized  
11 under s. 8.065 (2) or an election authorized under s. 8.065 (3) to be held not sooner  
12 than 45 days after filing of the demand, and the ordinance shall not be effective  
13 unless approved by a majority of the votes cast thereon. This paragraph shall not  
14 apply to extensions by a utility previously franchised by the village or city.

15 **SECTION 1608e.** 66.075 (5) of the statutes is amended to read:

16 66.075 (5) The provisions of this section shall apply only to such counties, cities,  
17 villages and towns as shall have adopted the same at any general or municipal  
18 election at which the question of the establishment of such county or municipal  
19 slaughterhouse shall have been submitted to the voters of such county, city, village  
20 or town. Such question shall, upon the filing of a petition conforming to the  
21 requirements of s. 8.40 by electors of such county, city, village or town equal in  
22 number to at least 10% of all the votes cast in such county, city, village or town for  
23 governor at the last preceding general election, be submitted to the electors of such  
24 county, city, village or town at the next ensuing election authorized under s. 8.065 (2)  
25 or an election authorized under s. 8.065 (3) to be held not sooner than 45 days after

1 filing of the petition, and if a majority of votes cast shall be in favor of the  
2 establishment of such slaughterhouse, the provisions of this section shall apply to  
3 such county, city, village or town.”.

4 **10.** Page 800, line 2: after that line insert:

5 **“SECTION 1637a.** 66.504 (2) of the statutes is amended to read:

6 66.504 (2) FACILITIES AUTHORIZED. A municipality may enter into a joint  
7 contract with a nonprofit corporation organized for civic purposes and located in the  
8 municipality to construct or otherwise acquire, equip, furnish, operate and maintain  
9 a facility to be used for municipal and civic activities if a majority of the voters voting  
10 in a referendum at ~~a special election or at a spring primary or election or September~~  
11 ~~primary or general~~ an election authorized under s. 8.065 approve the question of  
12 entering into the joint contract.”.

13 **11.** Page 800, line 12: after that line insert:

14 **“SECTION 1637w.** 66.521 (10) (d) of the statutes is amended to read:

15 66.521 (10) (d) The governing body may issue bonds under this section without  
16 submitting the proposition to the electors of the municipality for approval unless  
17 within 30 days from the date of publication of notice of adoption of the initial  
18 resolution for such bonds, a petition conforming to the requirements of s. 8.40, and  
19 signed by a number of electors of the municipality equal to not less than 5% of the  
20 registered electors of the municipality, or, if there is no registration of electors in the  
21 municipality, by 10% of the number of electors of the municipality voting for the office  
22 of governor at the last general election as determined under s. 115.01 (13), is filed  
23 with the clerk of the municipality requesting a referendum upon the question of the  
24 issuance of the bonds. If such a petition is filed, the bonds shall not be issued until

1 approved by a majority of the electors of the municipality voting thereon at a general  
2 ~~or special election referendum called in accordance with s. 8.065.~~”

3 **12.** Page 806, line 20: after that line insert:

4 **“SECTION 1638n.** 66.77 (3) (a) 1. of the statutes is amended to read:

5 66.77 (3) (a) 1. If the governing body of a county wishes to exceed the operating  
6 levy rate limit otherwise applicable to the county under this section, it shall adopt  
7 a resolution to that effect. The resolution shall specify either the operating levy rate  
8 or the operating levy that the governing body wishes to impose for either a specified  
9 number of years or an indefinite period. The governing body shall ~~call a special~~  
10 ~~referendum for the purpose of submitting the resolution to the electors of the county~~  
11 ~~for approval or rejection. In lieu of a special referendum, the governing body may~~  
12 ~~specify that~~ provide for the referendum to be held at the next succeeding spring  
13 primary or election or September primary or general election to be held authorized  
14 under s. 8.065 (2) or an election authorized under s. 8.065 (3) that occurs not earlier  
15 than 30 days after the adoption of the resolution of the governing body.

16 **SECTION 1640m.** 66.94 (4) of the statutes is amended to read:

17 66.94 (4) MANNER OF ADOPTION. This section may be adopted by any city, village  
18 or town within the metropolitan district in the following manner: The governing body  
19 of any municipality, by ordinance passed at least 30 days prior to submission of the  
20 question, may direct that the question of the adoption of this section be submitted  
21 to the electors therein at any ~~general, special, judicial or local election~~ authorized  
22 under s. 8.065. The clerk of such municipality or the election commission of any city  
23 of the first class shall thereupon submit the question to popular vote. Public notice  
24 of the election shall be given in the same manner as in case of a regular municipal

1 election except that such notice shall be published or posted at least 20 days prior to  
2 the election. If a majority of those voting on the question vote in the affirmative  
3 thereon, this section shall be adopted in such municipality. The proposition on the  
4 ballot to be used at such election shall be in substantially the following form:

5 Shall section 66.94 of the Wisconsin statutes which creates a metropolitan  
6 transit authority for ownership and operation of a public mass transportation system  
7 in the metropolitan district be adopted?

8 YES  NO .

9 **13.** Page 808, line 25: after that line insert:

10 “SECTION 1647m. 67.05 (4) and (5) of the statutes are amended to read:

11 67.05 (4) PERMISSIVE REFERENDUM IN COUNTIES. If a county board adopts an  
12 initial resolution for an issue of county bonds to provide for the original construction  
13 or for the improvement and maintenance of highways, to provide railroad aid, or to  
14 construct, acquire or maintain, or to aid in constructing, acquiring or maintaining  
15 a bridge over or across any stream or other body of water bordering upon or  
16 intersecting any part of the county, the county clerk is not required to submit the  
17 resolution for approval to the electors of the county at a ~~special election~~ referendum  
18 unless within 30 days after the adoption thereof there is filed with the clerk a petition  
19 conforming to the requirements of s. 8.40 and requesting such submission, signed by  
20 electors numbering at least 10% of the votes cast in the county for governor at the  
21 last general election. If a petition is filed, the question submitted shall be whether  
22 the resolution shall be or shall not be approved. No such resolution of a county board  
23 other than those specified in this subsection need be submitted to county electors,  
24 except as provided otherwise in sub. (7).

1           (5) REFERENDUM IN TOWNS, VILLAGES AND CITIES. (a) Whenever an initial  
2 resolution has been so adopted by the governing body of a town, the clerk of the  
3 municipality shall immediately record the resolution and call a ~~special election~~  
4 referendum in accordance with s. 8.065 for the purpose of submitting the resolution  
5 to the electors of the municipality for approval. This paragraph does not apply to  
6 bonds issued to finance low-interest mortgage loans under s. 66.38, unless a number  
7 of electors equal to at least 15% of the votes cast for governor at the last general  
8 election in their town sign and file a petition conforming to the requirements of s. 8.40  
9 with the town clerk requesting submission of the resolution. Whenever a number of  
10 electors cannot be determined on the basis of reported statistics, the number shall  
11 be determined in accordance with s. 60.74 (6). If a petition is filed, the question  
12 submitted shall be whether the resolution shall or shall not be approved. This  
13 paragraph is limited in its scope by sub. (7).

14           (b) No city or village may issue any bonds for any purposes other than for water  
15 systems, lighting works, gas works, bridges, street lighting, street improvements,  
16 street improvement funding, hospitals, airports, harbor improvements, river  
17 improvements, breakwaters and protection piers, sewerage, garbage disposal,  
18 rubbish or refuse disposal, any combination of sewage, garbage or refuse or rubbish  
19 disposal, parks and public grounds, swimming pools and band shells thereon,  
20 veterans housing projects, paying the municipality's portion of the cost of abolishing  
21 grade crossings, for the construction of police facilities and combined fire and police  
22 safety buildings, for the purchase of sites for engine houses, for fire engines and other  
23 equipment of the fire department, for construction of engine houses, and for pumps,  
24 water mains, reservoirs and all other reasonable facilities for fire protection  
25 apparatus or equipment for fire protection, for parking lots or other parking

1 facilities, for school purposes, for libraries, for buildings for the housing of machinery  
2 and equipment, for acquiring and developing sites for industry and commerce as will  
3 expand the municipal tax base, for financing the cost of low-interest mortgage loans  
4 under s. 66.38, for providing financial assistance to blight elimination, slum  
5 clearance, community development, redevelopment and urban renewal programs  
6 and projects under ss. 66.405 to 66.425, 66.43, 66.431, 66.4325, 66.435 and 66.46 or  
7 for university of Wisconsin system college campuses, as defined in s. 36.05 (6m), until  
8 the proposition for their issue for the special purpose thereof has been submitted to  
9 the electors of the city or village and adopted by a majority vote. Except as provided  
10 under sub. (15), if the common council of any city or the village board of any village  
11 declares its purpose to raise money by issuing bonds for any purpose other than those  
12 above specified, it shall direct by resolution, which shall be recorded at length in the  
13 record of its proceedings, the clerk to call a ~~special election~~ referendum in accordance  
14 with s. 8.065 for the purpose of submitting the question of bonding to the city or  
15 village electors. If a number of electors of a city or village equal to at least 15% of the  
16 votes cast for governor at the last general election in their city or village sign and file  
17 a petition conforming to the requirements of s. 8.40 with the city or village clerk  
18 requesting submission of the resolution, the city or village may not issue bonds for  
19 financing the cost of low-interest mortgage loans under s. 66.38 ~~without calling a~~  
20 ~~special election to submit the question of bonding to~~ unless the issuance is approved  
21 by the city or village electors for their approval at a referendum called in accordance  
22 with s. 8.065.

23 **SECTION 1648a.** 67.05 (6a) (a) 2. a. of the statutes is amended to read:

24 67.05 (6a) (a) 2. a. Direct the school district clerk to call a ~~special election~~  
25 referendum in accordance with s. 8.065 (2) or a referendum authorized under s. 8.065

1     (3) for the purpose of submitting the resolution to the electors for approval or  
2     rejection, ~~or direct that the resolution be submitted at the next regularly scheduled~~  
3     primary or election permitted under s. 8.065 (2) or a referendum authorized under  
4     s. 8.065 (3) to be held not earlier than 45 days after the adoption of the resolution.  
5     The resolution shall not be effective unless adopted by a majority of the school district  
6     electors voting at the referendum.”

7             **14.** Page 809, line 9: after that line insert:

8             “**SECTION 1648i.** 67.05 (6m) (b) of the statutes is amended to read:

9             67.05 (6m) (b) If a referendum is to be held on an initial resolution, the district  
10     board shall direct the technical college district secretary to call a ~~special election~~  
11     referendum in accordance with s. 8.065 for the purpose of submitting the initial  
12     resolution to the electors for ~~a referendum on approval or rejection. In lieu of a~~  
13     ~~special election, the district board may specify that the election be held at the next~~  
14     ~~succeeding spring primary or election or September primary or general election.”.~~

15            **15.** Page 809, line 13: after that line insert:

16            “**SECTION 1648s.** 67.10 (5) (b) of the statutes is amended to read:

17            67.10 (5) (b) Any city having ~~voted~~ approved the issuance of bonds at a ~~special~~  
18     ~~referendum election~~ held in accordance with s. 8.065 and having sold a portion  
19     thereof may negotiate, sell or otherwise dispose of the same in the manner provided  
20     by statute within 9 years of the date of the election voting the same.”.

21            **16.** Page 809, line 23: after that line insert:

22            “**SECTION 1649e.** 67.12 (12) (e) 5. of the statutes is amended to read:

23            67.12 (12) (e) 5. Within 10 days of the adoption by a technical college district  
24     board of a resolution under subd. 1. to issue a promissory note for a purpose under

1 s. 38.16 (2), the secretary of the district board shall publish a notice of such adoption  
2 as a class 1 notice, under ch. 985. The notice need not set forth the full contents of  
3 the resolution, but shall state the amount proposed to be borrowed, the method of  
4 borrowing, the purpose thereof, that the resolution was adopted under this  
5 subsection and the place where and the hours during which the resolution is  
6 available for public inspection. If the amount proposed to be borrowed is for building  
7 remodeling or improvement and does not exceed \$500,000 or is for movable  
8 equipment, the district board need not submit the resolution to the electors for  
9 approval unless, within 30 days after the publication or posting, a petition  
10 conforming to the requirements of s. 8.40 is filed with the secretary of the district  
11 board requesting a referendum ~~at a special election~~ to be called for that purpose.  
12 Such petition shall be signed by electors from each county lying wholly or partially  
13 within the district. The number of electors from each county shall equal at least 1.5%  
14 of the population of the county as determined under s. 16.96 (2) (c). If a county lies  
15 in more than one district, the technical college system board shall apportion the  
16 county's population as determined under s. 16.96 (2) (c) to the districts involved and  
17 the petition shall be signed by electors equal to the appropriate percentage of the  
18 apportioned population. ~~In lieu of a special election, the district board may specify~~  
19 ~~that the referendum shall be held at the next succeeding spring primary or election~~  
20 ~~or September primary or general election.~~ Any resolution to borrow amounts of  
21 money in excess of \$500,000 for building remodeling or improvement shall be  
22 submitted to the electors of the district for approval. Any referendum under this  
23 subdivision shall be called at the next election authorized under s. 8.065 (2) or an  
24 election authorized under s. 8.065 (3) occurring not sooner than 45 days after filing  
25 of a petition or adoption of a resolution requiring the referendum. If a referendum

1 is held or required under this subdivision, no promissory note may be issued until  
2 the issuance is approved by a majority of the district electors voting at such  
3 referendum. The referendum shall be noticed, called and conducted under s. 67.05  
4 (6a) insofar as applicable, except that the notice of ~~special election referendum~~ and  
5 ballot need not embody a copy of the resolution and the question which shall appear  
6 on the ballot shall be “Shall .... (name of district) be authorized to borrow the sum of  
7 \$.... for (state purpose) by issuing its general obligation promissory note (or notes)  
8 under section 67.12 (12) of the Wisconsin Statutes?”.”.

9 **17.** Page 958, line 14: after that line insert:

10 “SECTION 1818Lm. 81.01 (3) (b) of the statutes is amended to read:

11 81.01 (3) (b) The town board by resolution submits to the electors of the town  
12 as a referendum at a ~~general or special town~~ an election authorized under s. 8.065  
13 the question of exceeding the \$10,000 limit set under this subsection. The board shall  
14 abide by the majority vote of the electors of the town on the question. The question  
15 shall read as follows:

16 Shall the town of ... spend \$... over the annual limit of \$10,000 for the  
17 construction and repair of its highways and bridges?

18 FOR SPENDING  AGAINST SPENDING .

19 **18.** Page 974, line 24: after that line insert:

20 “SECTION 1855t. 86.21 (2) (a) of the statutes is amended to read:

21 86.21 (2) (a) Before any such toll bridge is constructed or acquired under this  
22 section, a resolution authorizing the construction or acquisition thereof, and  
23 specifying the method of payment therefor, shall be adopted by a majority of the  
24 members of the governing body of such county, town, village or city at a regular

1 meeting, after publication of said resolution, as a class 2 notice, under ch. 985. The  
2 resolution shall include a general description of the property it is proposed to acquire  
3 or construct. Any county, town, village or city constructing or acquiring a toll bridge  
4 under this section may provide for the payment of the same or any part thereof from  
5 the general fund, from taxation, or from the proceeds of either municipal bonds,  
6 revenue bonds or as otherwise provided by law. Such resolution shall not be effective  
7 until 15 days after its passage and publication. If within said 15 days a petition  
8 conforming to the requirements of s. 8.40 is filed with the clerk of such municipality  
9 signed by at least 20% of the electors thereof requesting that the question of  
10 acquiring such toll bridge be submitted to the said electors, such question shall be  
11 submitted at ~~any general or regular municipal~~ the next election authorized under s.  
12 8.065 (2) or an election authorized under s. 8.065 (3) that may be is held not less  
13 sooner than 10 nor more than 40 45 days from the date of filing such petition. ~~In case~~  
14 ~~no such general or regular municipal election is to be held within such stated period,~~  
15 ~~then the governing body of such municipality shall order a special election to be held~~  
16 ~~within 30 days from the filing of such petition upon the question of whether such toll~~  
17 ~~bridge shall be acquired by said municipality.~~ The question submitted to the electors  
18 shall specify the method of payment for such toll bridge as provided in the resolution  
19 for the acquisition thereof. If no such petition is filed, or if the majority of votes cast  
20 at such referendum election are in favor of the acquisition of such toll bridge, then  
21 the resolution of the governing body for the acquisition of such toll bridge shall be in  
22 effect.”.

23 **19.** Page 1102, line 25: after that line insert:

24 **“SECTION 2065q.** 117.20 of the statutes is amended to read:

1           **117.20 Referendum procedures.** (1) If a referendum is required under ss.  
2 117.08 to 117.11, it shall be held on the Tuesday after the first Monday in November  
3 occurring not sooner than 45 days following receipt of the petition or adoption of the  
4 resolution under s. 117.08 (3) (a), 117.09 (3) (a), 117.10 (3) (a) or 117.11 (4) (a). If a  
5 referendum is required under s. 117.105, it shall be held on the Tuesday after the first  
6 Monday in the 2nd November occurring not sooner than 45 days following receipt of  
7 the petition or adoption of the resolution under s. 117.105 (1).

8           (2) The clerk of each affected school district shall publish notice, as required  
9 under s. ~~8.55~~ 10.06 (4), in the territory of that school district. The procedures for  
10 school board elections under s. 120.06 (5), (9), (11), (13) and (14) apply to a  
11 referendum held under this section. The school board and school district clerk of each  
12 affected school district shall each perform, for that school district, the functions  
13 assigned to the school board and the school district clerk, respectively, under those  
14 subsections. The form of the ballot shall correspond to the form prescribed by the  
15 elections board under ss. 5.64 (2) and 7.08 (1) (a). The clerk of each affected school  
16 district shall file with the secretary of the board a certified statement prepared by  
17 the school district board of canvassers of the results of the referendum in that school  
18 district.”.

19           **20.** Page 1119, line 8: after that line insert:

20           “**SECTION 2114a.** 119.48 (4) (b) and (c) of the statutes are amended to read:

21           119.48 (4) (b) The communication shall state the purposes for which the funds  
22 from the increase in the levy rate will be used and shall request the common council  
23 to submit to the voters of the city the question of exceeding the levy rate specified in

1 s. 65.07 (1) (f) at the ~~September election or a special~~ an election authorized under s.  
2 8.065.

3 (c) Upon receipt of the communication, the common council shall cause the  
4 question of exceeding the levy rate specified under s. 65.07 (1) (f) to be submitted to  
5 the voters of the city at the ~~September election or at a special~~ next election authorized  
6 under s. 8.065 (2) or an election authorized under s. 8.065 (3) to be held not sooner  
7 than 45 days after receipt of the communication. The question of exceeding the levy  
8 rate specified under s. 65.07 (1) (f) shall be submitted upon a separate ballot or in  
9 some other manner so that the vote upon exceeding the levy rate specified in s. 65.07  
10 (1) (f) is taken separately from any other question submitted to the voters. If a  
11 majority of the electors voting on the question favors exceeding the levy rate specified  
12 under s. 65.07 (1) (f), the common council shall approve the increase in the levy rate  
13 and shall levy and collect a tax equal to the amount of money approved by the  
14 electors.

15 **SECTION 2116a.** 119.49 (1) (b) of the statutes is amended to read:

16 119.49 (1) (b) The communication shall state the amount of funds needed under  
17 par. (a) and the purposes for which the funds will be used and shall request the  
18 common council to submit to the voters of the city at the next election authorized  
19 under s. 8.065 (2) or an election authorized under s. 8.065 (3) to be held in the city  
20 not sooner than 45 days after receipt of the communication the question of issuing  
21 school bonds in the amount and for the purposes stated in the communication.

22 **SECTION 2116b.** 119.49 (2) of the statutes is amended to read:

23 119.49 (2) Upon receipt of the communication, the common council shall cause  
24 the question of issuing such school bonds in the stated amount and for the stated  
25 school purposes to be submitted to the voters of the city at the next election ~~held in~~

1 ~~the city authorized under s. 8.065 (2) or an election authorized under s. 8.065 (3) that~~  
2 ~~occurs not sooner than 45 days after the date of receipt of the communication.~~ The  
3 question of issuing such school bonds shall be submitted upon a separate ballot or  
4 in some other manner so that the vote upon issuing such school bonds is taken  
5 separately from any other question submitted to the voters. If a majority of the  
6 electors voting on the school bond question favors issuing such school bonds, the  
7 common council shall cause the school bonds to be issued immediately or within the  
8 period permitted by law, in the amount requested by the board and in the manner  
9 other bonds are issued.”.

10 **21.** Page 1135, line 3: after that line insert:

11 “**SECTION 2156a.** 121.91 (3) (a) of the statutes is amended to read:

12 121.91 (3) (a) If a school board wishes to exceed the limit under sub. (2m)  
13 otherwise applicable to the school district in any school year, it shall promptly adopt  
14 a resolution supporting inclusion in the final school district budget of an amount  
15 equal to the proposed excess revenue. The resolution shall specify whether the  
16 proposed excess revenue is for a recurring or nonrecurring purpose, or, if the  
17 proposed excess revenue is for both recurring and nonrecurring purposes, the  
18 amount of the proposed excess revenue for each purpose. Within 10 days after  
19 adopting the resolution, the school board shall notify the department of the  
20 scheduled date of the referendum and submit a copy of the resolution to the  
21 department. The school board shall call a special referendum in accordance with s.  
22 8.065 for the purpose of submitting the resolution to the electors of the school district  
23 for approval or rejection. ~~In lieu of a special referendum, the school board may~~  
24 ~~specify that the referendum be held at the next succeeding spring primary or election~~

1 ~~or September primary or general election, if such election is,~~ to be held not earlier  
2 sooner than 35 days after the adoption of the resolution of the school board. The  
3 school district clerk shall certify the results of the referendum to the department  
4 within 10 days after the referendum is held.”.

5 **22.** Page 1186, line 9: after that line insert:

6 **“SECTION 2336s.** 197.04 (1) (b) and (2) of the statutes are amended to read:

7 197.04 (1) (b) If within either of the 90-day periods described in par. (a) a  
8 petition conforming to the requirements of s. 8.40 is filed with the clerk of the  
9 municipality and the petition has been signed by 5% of the electors of a 1st class city  
10 or by 10% of the electors of all other municipalities requesting that the question of  
11 discontinuing the proceeding to acquire the plant or equipment of the public utility  
12 be submitted to the electors of the municipality, the applicable question under par.  
13 (c) shall be submitted to the electors at ~~any general or regular municipal~~ the  
14 succeeding election authorized under s. 8.065 (2) or an election authorized under s.  
15 8.065 (3) that may be is held not less than 30, ~~and not more than~~ 35, days from the  
16 date of the filing of the petition. ~~If no general election or regular municipal election~~  
17 ~~is to be held within the stated periods, the governing body of the municipality shall~~  
18 ~~order the holding of a special election for the purpose of submitting the question to~~  
19 ~~the electors.~~

20 (2) The governing body of the municipality may provide for notice of, the  
21 manner of holding s, the method of voting on, the method of making returns of, and  
22 the method of canvassing and determining the result of, the election required under  
23 sub. (1). Notice of the election to the electors shall be given by a brief notice of that  
24 fact once a week for 3 weeks in some newspaper of general circulation published in

1 the municipality. If no newspaper of general circulation is published in the  
2 municipality, publication may be made in any newspaper of general circulation in the  
3 county seat of the county in which the municipality is located. ~~The notice of holding~~  
4 ~~any special election shall be incorporated as a part of the notice given under this~~  
5 ~~subsection.~~

6 **SECTION 2336u.** 197.10 (2) of the statutes is amended to read:

7 197.10 (2) Such contract when adopted by the common council of said city and  
8 accepted by the owner or owners of such public utility shall be submitted to the public  
9 service commission for its approval and upon such approval the same shall be  
10 submitted in such manner as the common council shall determine to a vote of the  
11 electors of such city at the next ~~regular municipal election or at a special election~~  
12 ~~called for that purpose~~ authorized under s. 8.065 (2) or an election authorized under  
13 s. 8.065 (3) to be held not sooner than 45 days after approval of the commission, and  
14 such contract shall not become binding upon such city until approved by a majority  
15 vote of the qualified electors of such city voting thereon. No bonds shall in any case  
16 be issued by said city under the contract or contracts mentioned in sub. (1), until the  
17 proposition of their issue shall have been submitted to the people of such city and  
18 adopted by a majority of the electors voting thereon.

19 **SECTION 2336w.** 198.19 (1) of the statutes is amended to read:

20 198.19 (1) Any territory, constituting one or more municipalities contiguous to  
21 a district may be annexed to and become a part of such district to all intents and  
22 purposes and with like effect as though originally included therein upon such terms  
23 and conditions as the board of directors of the district shall fix by ordinance adopted  
24 by the affirmative vote of two-thirds of the directors-elect, provided that before such  
25 ordinance becomes effective the same shall be accepted and ratified by the

1 affirmative vote of a majority of the qualified electors entitled to vote and voting in  
2 a ~~special election~~ referendum called and held for that purpose, in accordance with  
3 s. 8.065, in each municipality proposed in such ordinance to be annexed to the  
4 district. Such ordinance shall be published and such election shall be noticed, held  
5 and conducted, as nearly as may be, in the manner provided by this chapter for the  
6 noticing, holding and conduct of elections upon the organization of a municipal power  
7 district, except that the returns of such election and the ballots therein shall be  
8 delivered to the clerk of the district. The results of said election shall be canvassed  
9 publicly by the directors of the district.”.

10 **23.** Page 1617, line 16: after that line insert:

11 “(4p) SCHEDULING OF REFERENDA BY LOCAL GOVERNMENTS. The treatment of  
12 sections 7.15 (2) (d), 8.05 (3) (d) and (e), 8.06, 8.065, 9.20 (4), 24.66 (3) (b) and (4), 32.72  
13 (1), 59.08 (7) (b), 60.62 (2), 60.74 (5) (b), 61.187 (1), 61.46 (1), 62.09 (1) (a), 64.03 (1),  
14 64.39 (3), 66.01 (8), 66.059 (2m) (b), 66.061 (1) (c), 66.075 (5), 66.504 (2), 66.521 (10)  
15 (d), 66.77 (3) (a) 1., 66.94 (4), 67.05 (4), (5), (6a) (a) 2. a. and (6m) (b), 67.10 (5) (b), 67.12  
16 (12) (e) 5., 81.01 (3) (b), 86.21 (2) (a), 117.20, 119.48 (4) (b) and (c), 119.49 (1) (b) and  
17 (2), 121.91 (3) (a), 197.04 (1) (b) and (2), 197.10 (2) and 198.19 (1) of the statutes first  
18 applies with respect to referenda called on the effective date of this subsection.”.

19

(END)