

**2001 Jr2 DRAFTING REQUEST**

**Assembly Amendment (AA-ASA1-AB1)**

Received: **03/12/2002**

Received By: **rmarchan**

Wanted: **Soon**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Onsager**

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

Drafter: **rmarchan**

May Contact:

Addl. Drafters: **kuesejt**

Subject: **Elections - miscellaneous**

Extra Copies:

Submit via email: **NO**

---

**Pre Topic:**

LFB:.....Onsager -

---

**Topic:**

Scheduling of local government referenda

---

**Instructions:**

See Attached

---

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	rmarchan 03/12/2002 kuesejt 03/12/2002	gilfokm 03/12/2002		_____			
/1	rmarchan 03/13/2002	hhagen 03/13/2002	pgreensl 03/13/2002	_____	lrb_docadmin 03/13/2002		
/2			rschluet 03/13/2002	_____	lrb_docadmin 03/13/2002		

FE Sent For:

**<END>**

**2001 Jr2 DRAFTING REQUEST**

**Assembly Amendment (AA-ASA1-AB1)**

Received: 03/12/2002

Received By: **rmarchan**

Wanted: **Soon**

Identical to LRB:

For: **Legislative Fiscal Bureau**

By/Representing: **Onsager**

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

Drafter: **rmarchan**

May Contact:

Addl. Drafters: **kuesejt**

Subject: **Elections - miscellaneous**

Extra Copies:

Submit via email: **NO**

---

**Pre Topic:**

LFB:.....Onsager -

---

**Topic:**

Scheduling of local government referenda

---

**Instructions:**

See Attached

---

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	rmarchan 03/12/2002 kuesejt 03/12/2002	gilfokm 03/12/2002		_____			
/1		<i>12hmk</i> 3/13	pgreensl 03/13/2002	_____	lrb_docadmin 03/13/2002		

FE Sent For:

*ojs*  
**3B-2<END>**

2001 Jr2 DRAFTING REQUEST

Assembly Amendment (AA-ASA1-AB1)

Received: 03/12/2002

Received By: rmarchan

Wanted: Soon

Identical to LRB:

For: Legislative Fiscal Bureau

By/Representing: Onsager

This file may be shown to any legislator: NO

Drafter: rmarchan

May Contact:

Adl. Drafters: kuesejt

Subject: Elections - miscellaneous

Extra Copies:

Submit via email: NO

Pre Topic:

LFB:.....Onsager -

Topic:

Scheduling of local government referenda

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
--------------	----------------	-----------------	--------------	----------------	------------------	-----------------	-----------------

1?	rmarchan	1-3/12 KMG	3/13 PQ	3/13 P8165			
----	----------	---------------	------------	---------------	--	--	--

FE Sent For:

<END>

## **Marchant, Robert**

---

**From:** Kuesel, Jeffery  
**Sent:** Saturday, March 09, 2002 7:31 PM  
**To:** Marchant, Robert  
**Subject:** ARC Amendment - Scheduling of local referenda

Rob,

On the list of things to do whenever we receive the sub, we have an ARC amendment that incorporates AB-2, as passed by the assembly (with AA1 and AA5). This is a perennial Skindrud amendment. I haven't checked, but it may be the same as LRBb1599. Did we do any other work on this subject? If we have any other drafts, we should probably look at them.

**Jeffery Kuesel**  
**Managing Attorney**  
**Wisconsin Legislative Reference Bureau**  
**P.O.Box 2037**  
**Madison WI 53701-2037**  
**(608) 266-6778**  
**[jeffery.kuesel@legis.state.wi.us](mailto:jeffery.kuesel@legis.state.wi.us)**

**ASSEMBLY AMENDMENT 1,  
TO 2001 ASSEMBLY BILL 2**

January 24, 2001 - Offered by COMMITTEE ON TAX AND SPENDING LIMITATIONS.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 3, line 22: delete the material beginning with "concurrently" and  
3 ending with "year." on line 24 and substitute "on the date of the spring primary,  
4 spring election, September primary, or general election, or on the 2nd Tuesday in  
5 September or the first Tuesday after the first Monday in November of an  
6 odd-numbered year."

7 **2.** Page 4, line 6: on lines 6 and 14, after "than" insert "the 2nd Tuesday in  
8 September or".

9 (END)

**ASSEMBLY AMENDMENT 5,  
TO 2001 ASSEMBLY BILL 2**

February 14, 2001 – Offered by Representatives PLALE, ZIEGELBAUER, STASKUNAS,  
WALKER, VRAKAS and LIPPERT.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 3, line 24: delete the material beginning with “Unless” and ending  
3 with “period.” on page 4, line 3.

4 (END)

2001

Date (time) needed

Saw

LRB b 2474 1 1

ARC CAUCUS BUDGET AMENDMENT [ONLY FOR CAUCUS]

RJM+OTK : kg :

See form AMENDMENTS — COMPONENTS & ITEMS.

January 2002 SPECIAL SESSION CAUCUS AMENDMENT TO ASSEMBLY SUBSTITUTE AMENDMENT 1 TO 2001 ASSEMBLY BILL 1

>>FOR CAUCUS SUPERAMENDMENT — NOT FOR INTRODUCTION<<

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

- ✓ #. Page 3, line 12: after <sup>that</sup> line: INSERT A
  - ✓ #. Page 10, line 8: after <sup>that</sup> line: INSERT B
  - ✓ #. Page 28, line 8: after <sup>that</sup> line: INSERT C
  - ✓ #. Page 31, line 8: after <sup>that</sup> line: INSERT D
  - ✓ #. Page 32, line 2: after <sup>that</sup> line: INSERT E
  - ✓ #. Page 48, line 10: after <sup>that</sup> line: INSERT F
- insert



2001

Date (time)  
needed \_\_\_\_\_

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

**ARC CAUCUS BUDGET AMENDMENT  
[ONLY FOR CAUCUS]**

See form **AMENDMENTS — COMPONENTS & ITEMS.**

**January 2002 SPECIAL SESSION CAUCUS AMENDMENT  
TO ASSEMBLY SUBSTITUTE AMENDMENT 1  
TO 2001 ASSEMBLY BILL 1**

>>FOR CAUCUS SUPERAMENDMENT — NOT FOR INTRODUCTION<<

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

✓ #. Page <sup>49</sup> 1, line 18: after line:

✓ **INSERT G**

✓ #. Page 51., line 9...: delete the material beginning with "special" and ending with "held" on line 13 and substitute  $\frac{1}{2}$  "referendum on approval or rejection to be held at the next election permitted under s. 8.065 (2) or an election authorized under s. 8.065 (3) occurring".

✓ #. Page 53., line 4...: after line:

✓ **INSERT A**

✓ #. Page 53., line 16...: after line:

✓ **INSERT I**

✓ #. Page 153., line 25...: after line:

✓ **INSERT J**

✓ #. Page 154., line 4...: after line:

✓ **INSERT K**

2001

Date (time) needed \_\_\_\_\_

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

**ARC CAUCUS BUDGET AMENDMENT  
[ONLY FOR CAUCUS]**

\_\_\_\_\_ : \_\_\_\_\_ : \_\_\_\_\_

See form **AMENDMENTS — COMPONENTS & ITEMS.**

**January 2002 SPECIAL SESSION CAUCUS AMENDMENT  
TO ASSEMBLY SUBSTITUTE AMENDMENT 1  
TO 2001 ASSEMBLY BILL 1**

>>FOR CAUCUS SUPERAMENDMENT — NOT FOR INTRODUCTION<<

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

✓ #. Page 159, line 17: *afterline:*  
✓ **INSSMT L**

✓ #. Page 161, line 11: *afterline:*  
✓ **INSSMT M**

✓ #. Page 163, line 25: *afterline:*  
✓ **INSSMT N**

✓ #. Page 177, line 14: *afterline:*  
✓ **INSSMT P**

✓ #. Page 435, line 9: *afterline:*  
✓ **INSSMT Q**

✓ #. Page \_\_\_\_\_, line \_\_\_\_\_:  
✓ **(Lew)**

ASSEMBLY BILL 2

INSECTS

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 odd-numbered year (no election is currently held on that date), or concurrently with 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:*

INSECT  
A

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12

SECTION 1. 7.15 (2) (d) <sup>1g</sup> of the statutes is amended to read:

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.

1j

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

## ASSEMBLY BILL 2

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 to be held in the town or at a special election called for the purpose. When  
4 a petition requesting adoption of the nonpartisan primary conforming to the  
5 requirements of s. 8.40 signed by at least 20 electors of the town is filed with the town  
6 clerk as provided in s. 8.37, the question shall be submitted to a vote.

7           (e) Petitions requesting a vote on the question at a regular town election shall  
8 be filed in accordance with s. 8.37 no later than 5 p.m. the last Tuesday in February.  
9 When the petition is filed, the clerk shall check its sufficiency. ~~Whether at a regular~~  
10 ~~or special election, the~~ The clerk shall give separate notice by one publication in a  
11 newspaper at least 5 days before the election. (14)

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: (14)

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 on the date of the ~~concurrently with the~~ spring primary,  
23 spring election, September primary, or general election, or on the 2nd Tuesday in September or the first Tuesday after  
24 the first Monday <sup>in</sup> 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~~

## ASSEMBLY BILL 2

## SECTION 4

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

ASSEMBLY BILL 2

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.~~ » (ad ms)

Insert B

6 ((SECTION 6. 15.615 of the statutes is created to read: 14k

7 **15.615 Same; attached boards.**

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

Insert C

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

73m

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).

73p

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

ASSEMBLY BILL 2

SECTION 8

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 question to be voted on  
 3 shall be filed as provided in s. 8.37. The notice of the election referendum shall state  
 the amount of the proposed loan and the purpose for which it will be used. "Lead ins"

INSERT 4  
D

5 "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  
 damages?". The question shall be filed as provided in s. 8.37. "Lead ins"

92m

INSERT 12  
E

13 "SECTION 38.15 (1) of the statutes is amended to read:  
 14 38.15 (1) Subject to sub. (3), if the district board intends to make a capital  
 15 expenditure in excess of ~~\$500,000~~ <sup>\$1,000,000</sup>, excluding moneys received from gifts, grants or  
 16 federal funds, for the acquisition of sites, purchase or construction of buildings, the  
 17 lease/purchase of buildings if costs exceed ~~\$500,000~~ for the lifetime of the lease,  
 18 building additions or enlargements or the purchase of fixed equipment relating to  
 19 any such activity, it shall adopt a resolution stating its intention to do so and  
 20 identifying the anticipated source of revenue for each project and shall submit the  
 21 resolution to the electors of the district for approval. The referendum may be held  
 22 at any election authorized under s. 8.065 and shall be noticed, called and conducted  
 23 as provided in s. 67.05 (3) insofar as applicable. For the purposes of this section, all  
 24 projects located on a single campus site within one district which are bid

was effected by  
2001 Wisconsin Act 16

Page w/ Kolo

97m

ASSEMBLY BILL 2

1 concurrently or which are approved by the board under s. 38.04 (10) within a 2-year  
2 period shall be considered as one capital expenditure project. *Lead ins)*

3 ((SECTION ~~11~~. 59.08 (7) (b) of the statutes is amended to read:

4 *(50K)* 59.08 (7) (b) The question of the consolidation of the counties shall be submitted  
5 to the voters at the next election authorized under s. 8.065 (2) or an election  
6 authorized under s. 8.065 (3) to be held on the first Tuesday in April, or the next  
7 regular election, or at a special election to be held on the day fixed in a date specified  
8 in the order which shall be no sooner than 45 days after the date of the order issued  
9 under par. (a), which day date shall be the same in each of the counties proposing to  
10 consolidate. A copy of the order shall be filed with the county clerk of each of the  
11 counties as provided in s. 8.37. If the question of consolidation is submitted at a  
12 special election, it shall be held not less than 42 days nor more than 60 days from the  
13 completion of the consolidation agreement, but not within 60 days of any spring or  
14 general election.

15 *(50K)* SECTION ~~12~~. 59.605 (3) (a) 1. of the statutes is amended to read:

16 59.605 (3) (a) 1. If the governing body of a county wishes to exceed the operating  
17 levy rate limit otherwise applicable to the county under this section, it shall adopt  
18 a resolution to that effect. The resolution shall specify either the operating levy rate  
19 or the operating levy that the governing body wishes to impose for either a specified  
20 number of years or an indefinite period. The governing body shall ~~call a special~~  
21 ~~referendum for the purpose of submitting the resolution to the electors of the county~~  
22 ~~for approval or rejection. In lieu of a special referendum, the governing body may~~  
23 ~~specify that~~ provide for the referendum to be held at the next succeeding spring  
24 primary or election or September primary or general election to be held authorized  
25 under s. 8.065 (2) or an election authorized under s. 8.065 (3) that occurs not earlier

✓  
21055M  
F



## ASSEMBLY BILL 2

1 than 42 days after the adoption of the resolution of the governing body. The  
2 governing body shall file the resolution to be submitted to the electors as provided  
3 in s. 8.37. (150 Kh)

4 SECTION 13. 60.62 (2) of the statutes is amended to read:

5 60.62 (2) If the county in which the town is located has enacted a zoning  
6 ordinance under s. 59.69, the exercise of the authority under sub. (1) is subject to  
7 approval by the town meeting or by a referendum vote of the electors of the town to  
8 be held at the time of any regular or special election in accordance with s. 8.065. The  
9 question for the referendum vote shall be filed as provided in s. 8.37.

10 SECTION 14. 60.74 (5) (b) of the statutes is amended to read: (150 Kj)

11 60.74 (5) (b) A petition conforming to the requirements of s. 8.40 signed by  
12 qualified electors of the district equal to at least 20% of the vote cast for governor in  
13 the district at the last gubernatorial election, requesting a change to appointment  
14 of commissioners, may be submitted to the town board, subject to sub. (5m) (a). The  
15 petition shall be filed as provided in s. 8.37. Upon receipt of the petition, the town  
16 board shall submit the question to a referendum at the next ~~regular spring~~ election  
17 ~~or general election, or shall call a special election for that purpose~~ authorized under  
18 s. 8.065 (2) or an election authorized under s. 8.065 (3) to be held not sooner than 45  
19 days after receipt of the petition by the town board. The inspectors shall count the  
20 votes and submit a statement of the results to the commission. The commission shall  
21 canvass the results of the election and certify the results to the town board which has  
22 authority to appoint commissioners. (150 KL)

23 SECTION 15. 61.187 (1) of the statutes is amended to read:

24 61.187 (1) PROCEDURE. Whenever a petition conforming to the requirements  
25 of s. 8.40, signed by at least one-third as many electors of any village as voted for

## ASSEMBLY BILL 2

1 village officers at the next preceding election therefor, shall be presented to the  
2 village board, and filed as provided in s. 8.37, praying for dissolution of the village  
3 corporation, such board shall submit to the electors of such village, for determination  
4 by ballot in substantially the manner provided by ss. 5.64 (2) and 10.02, at ~~a general~~  
5 ~~election or at a special election called by them for that purpose~~ the next election  
6 authorized under s. 8.065 (2) or an election authorized under s. 8.065 (3) to be held  
7 not sooner than 45 days after presentation of the petition, the question whether or  
8 not such village corporation shall be dissolved. (150 Kn)

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

10 61.46 (1) GENERAL; LIMITATION. The village board shall, on or before December  
11 15 in each year, by resolution to be entered of record, determine the amount of  
12 corporation taxes to be levied and assessed on the taxable property in such village  
13 for the current year. Before levying any tax for any specified purpose, exceeding one  
14 percent of the assessed valuation aforesaid, the village board shall, and in all other  
15 cases may in its discretion, submit the question of levying the same to the village  
16 electors at ~~any general or special~~ the next election authorized under s. 8.065 (2) or  
17 an election authorized under s. 8.065 (3) to be held no sooner than 45 days after  
18 adoption of the resolution by giving 10 days' notice thereof prior to such election by  
19 publication in a newspaper published in the village, if any, and if there is none, then  
20 by posting notices in 3 public places in said village, setting forth in such notices the  
21 object and purposes for which such taxes are to be raised and the amount of the  
22 proposed tax. The village board shall file the question as provided in s. 8.37.

23 SECTION 17. 62.09 (1) (a) of the statutes is amended to read: (150 Kp)

24 62.09 (1) (a) The officers shall be a mayor, treasurer, clerk, comptroller,  
25 attorney, engineer, one or more assessors unless the city is assessed by a county

## ASSEMBLY BILL 2

## SECTION 17

1 assessor under s. 70.99, one or more constables as determined by the common  
2 council, a local health officer, as defined in s. 250.01 (5), or local board of health, as  
3 defined in s. 250.01 (3), street commissioner, board of police and fire commissioners  
4 except in cities where not applicable, chief of police, chief of the fire department,  
5 board of public works, 2 alderpersons from each aldermanic district, and such other  
6 officers or boards as are created by law or by the council. If one alderperson from each  
7 aldermanic district is provided under s. 66.0211 (1), the council may, by ordinance  
8 adopted by a two-thirds vote of all its members and approved by the electors at a  
9 ~~general or special~~ any election authorized under s. 8.065, provide that there shall be  
10 2 alderpersons from each aldermanic district. (150 Kr)

11 SECTION 18. 64.03 (1) of the statutes is amended to read:

12 64.03 (1) Every ordinance or resolution for the adoption of ss. 64.01 to 64.15,  
13 and every petition for a ~~special election~~ referendum on the same, shall state the  
14 number of members of which the council herein provided for shall be composed, the  
15 term of office of its members, which term shall not exceed 2 years, whether they shall  
16 be nominated and elected from aldermanic districts or from the city at large, and the  
17 compensation, if any, which they shall receive. (150 Kr)

18 SECTION 19. 64.39 (3) of the statutes is amended to read:

19 64.39 (3) Upon filing such petition, the mayor shall, by proclamation, submit  
20 the questions prescribed in sub. (1) at ~~a special~~ the next election authorized under  
21 s. 8.065 (2) or an election authorized under s. 8.065 (3) to be held ~~at a time specified~~  
22 ~~therein and within 2 months~~ not sooner than 45 days after such petition is filed. The  
23 election upon such question shall be conducted, the vote canvassed, and the result  
24 declared in the same manner as provided by law for other city elections.

25 SECTION 20. 66.0101 (8) of the statutes is amended to read: (150 Kr)

ASSEMBLY BILL 2

1           66.0101 (8) A charter ordinance enacted or approved by a vote of the electors  
 2 controls over any prior or subsequent act of the legislative body of the city or village.  
 3 If the electors of any city or village by a majority vote have adopted or determined  
 4 to continue to operate under either ch. 62 or 64, or have determined the method of  
 5 selection of members of the governing board, the question shall not again be  
 6 submitted to the electors, nor action taken on the question, within a period of 2 years.  
 7 Any election to change or amend the charter of any city or village, other than a  
 8 special an election as provided in called under s. 9.20 (4), shall be held at the time  
 9 provided by statute for holding the spring election. <sup>" LAJMS"</sup>

TOSSER  
G

EXS 11-10  
10

30  
13

SECTION 21. 66.0217 (7) (a) 3. of the statutes is amended to read:

11           66.0217 (7) (a) 3. If the notice indicates that the petition is for a referendum  
 12 on the question of annexation, the clerk of the city or village shall file the notice as  
 13 provided in s. 8.37. If the notice indicates that the petition is for a referendum on the  
 14 question of annexation, the town clerk shall give notice as provided in par. (c) of a  
 15 referendum of the electors residing in the area proposed for annexation to be held at  
 16 the next election permitted under s. 8.065 (2) or an election authorized under s. 8.065  
 17 (3), but not less than 42 days nor more than 72 days after the date of personal service  
 18 or mailing of the notice required under this paragraph. If the notice indicates that  
 19 the petition is for direct annexation, no referendum shall be held unless within 30  
 20 days after the date of personal service or mailing of the notice required under this  
 21 paragraph, a petition conforming to the requirements of s. 8.40 requesting a  
 22 referendum is filed with the town clerk as provided in s. 8.37, signed by at least 20%  
 23 of the electors residing in the area proposed to be annexed. If a petition requesting  
 24 a referendum is filed, the clerk shall give notice as provided in par. (c) of a referendum  
 25 of the electors residing in the area proposed for annexation to be held at the next

"G" cont

ASSEMBLY BILL 2

SECTION 21

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

election permitted under s. 8.065 (2) or an election authorized under s. 8.065 (3), but not less than 42 days nor more than 72 days after the receipt of the petition and shall mail a copy of the notice to the clerk of the city or village to which the annexation is proposed. The referendum shall be held at a convenient place within the town to be specified in the notice.

~~SECTION 22. 66.0219 (4) (b) of the statutes is amended to read:  
66.0219 (4) (b) The referendum election shall be held at the next election permitted under s. 8.065 (2) or an election authorized under s. 8.065 (3), but not less than 42 days nor more than 72 days after the filing of the order as provided in s. 8.37, in the territory proposed for annexation, by the electors of that territory as provided in s. 66.0217 (7), so far as applicable. The ballots shall contain the words "For Annexation" and "Against Annexation". The certification of the election inspectors shall be filed with the clerk of the court, and the clerk of any municipality involved, but need not be filed or recorded with the register of deeds.~~

INSERT  
12-14  
14

~~SECTION 23. 66.0227 (3) of the statutes is amended to read:  
66.0227 (3) The governing body of a city, village or town involved may, or if a petition conforming to the requirements of s. 8.40 signed by a number of qualified electors equal to at least 5% of the votes cast for governor in the city, village or town at the last gubernatorial election, demanding a referendum, is presented to it within 30 days after the passage of either of the ordinances under sub. (2) shall, submit the question to the electors of the city, village or town whose electors petitioned for detachment, at a referendum election called for that purpose held at the next election permitted under s. 8.065 (2) or an election authorized under s. 8.065 (3) but not less than 42 days nor more than 72 days after the filing of the petition, or after the enactment of either ordinance. The petition shall be filed as provided in s. 8.37. If~~

"G" - 18

1 a number of electors cannot be determined on the basis of reported election statistics,  
 2 the number shall be determined in accordance with s. 60.74 (6). The governing body  
 3 of the municipality shall appoint 3 election inspectors who are resident electors to  
 4 supervise the referendum. The ballots shall contain the words "For Detachment"  
 5 and "Against Detachment". The inspectors shall certify the results of the election by  
 6 their attached affidavits and file a copy with the clerk of each town, village or city  
 7 involved, and none of the ordinances may take effect nor be in force unless a majority  
 8 of the electors approve the question. The referendum election shall be conducted in  
 9 accordance with chs. 6 and 7 to the extent applicable.

IN SCOP 13-9

Lawms > end of "G"

10 "SECTION 24. 66.0619 (2m) (b) of the statutes is amended to read:

11 66.0619 (2m) (b) If a referendum is to be held on a resolution, the municipal  
 12 governing body shall file the resolution as provided in s. 8.37 and shall direct the  
 13 municipal clerk to call a special election for the purpose of submitting submit the  
 14 resolution to the electors for approval of the electors at a referendum on approval or  
 15 rejection. In lieu of a special election, the municipal governing body may specify that  
 16 the election be held at the next succeeding spring primary or election or September  
 17 primary or general election called in accordance with s. 8.065.

I US COP #

15341

18 SECTION 25. 66.0815 (1) (c) of the statutes is amended to read:

19 66.0815 (1) (c) An ordinance under sub. (1) may not take effect until 60 days  
 20 after passage and publication unless sooner approved by a referendum. Within the  
 21 60-day period electors equal in number to 20% of those voting at the last regular  
 22 municipal election may file a petition requesting for a referendum. The petition shall  
 23 be in writing and filed with the clerk and as provided in s. 8.37. The petition shall  
 24 conform to the requirements of s. 8.40, except that each signer shall also state his or  
 25 her. Each signer shall state his or her residence and signatures shall be verified by

ASSEMBLY BILL 2

SECTION 25

1 the affidavit of an elector. The referendum shall be held at the next regular  
 2 municipal election, or at a special election within 90 days of the authorized under s.  
 3 8.065 (2) or an election authorized under s. 8.065 (3) to be held not sooner than 45  
 4 days after filing of the petition. The ordinance may not take effect unless approved  
 5 by a majority of the votes cast. This paragraph does not apply to extensions by a  
 6 utility previously franchised by the village, city or town.

INSERT  
5  
14-6

7 SECTION 26. 66.0921 (2) of the statutes is amended to read:

(153K)

8 66.0921 (2) FACILITIES AUTHORIZED. A municipality may enter into a joint  
 9 contract with a nonprofit corporation organized for civic purposes and located in the  
 10 municipality to construct or otherwise acquire, equip, furnish, operate and maintain  
 11 a facility to be used for municipal and civic activities if a majority of the voters voting  
 12 in a referendum ~~at a special election or at a spring primary or election or September~~  
 13 ~~primary or general an election~~ authorize the municipality to enter into a joint contract. The referendum  
 14 ~~entering into the joint contract.~~ authorized under s. 8.065) approve the question of shall be held at

15 SECTION 27. 66.1103 (10) (d) of the statutes is amended to read:

16 66.1103 (10) (d) The governing body may issue bonds under this section  
 17 without submitting the proposition to the electors of the municipality for approval  
 18 unless within 30 days from the date of publication of notice of adoption of the initial  
 19 resolution for the bonds, a petition conforming to the requirements of s. 8.40, and  
 20 signed by a number of electors of the municipality equal to not less than 5% of the  
 21 registered electors of the municipality, or, if there is no registration of electors in the  
 22 municipality, by 10% of the number of electors of the municipality voting for the office  
 23 of governor at the last general election as determined under s. 115.01 (13), is filed  
 24 with the clerk of the municipality and as provided in s. 8.37 requesting a referendum  
 25 upon the question of the issuance of the bonds. If such a petition is filed, the bonds

ASSEMBLY BILL 2

1 may not be issued until approved by a majority of the electors of the municipality  
 2 voting on the referendum at a ~~general or special election~~ referendum called in  
 3 accordance with s. 8.065. *Less mss) end of 'H'*

*TO SCAM 2  
15-3  
3*

4 SECTION 28. 67.05 (4) and (5) of the statutes are amended to read:

5 *155nd* 67.05 (4) PERMISSIVE REFERENDUM IN COUNTIES. If a county board adopts an  
 6 initial resolution for an issue of county bonds to provide for the original construction  
 7 or for the improvement and maintenance of highways, to provide railroad aid, or to  
 8 construct, acquire or maintain, or to aid in constructing, acquiring or maintaining  
 9 a bridge over or across any stream or other body of water bordering upon or  
 10 intersecting any part of the county, the county clerk is not required to submit the  
 11 resolution for approval to the electors of the county at a ~~special election~~ referendum  
 12 unless within 30 days after the adoption thereof there is filed with the clerk a petition  
 13 conforming to the requirements of s. 8.40 and requesting such submission, signed by  
 14 electors numbering at least 10% of the votes cast in the county for governor at the  
 15 last general election. If a petition is filed, the question submitted shall be whether  
 16 the resolution shall be or shall not be approved. No such resolution of a county board  
 17 other than those specified in this subsection need be submitted to county electors,  
 18 except as provided otherwise in sub. (7).

*TO SCAM  
I*

19 (5) REFERENDUM IN TOWNS, VILLAGES AND CITIES. (a) Whenever an initial  
 20 resolution has been so adopted by the governing body of a town, the clerk of the  
 21 municipality shall immediately record the resolution and call a ~~special election~~  
 22 referendum in accordance with s. 8.065 for the purpose of submitting the resolution  
 23 to the electors of the municipality for approval. This paragraph does not apply to  
 24 bonds issued to finance low-interest mortgage loans under s. 62.237, unless a  
 25 number of electors equal to at least 15% of the votes cast for governor at the last



**ASSEMBLY BILL 2**

1 general election in their town sign and file a petition conforming to the requirements  
2 of s. 8.40 with the town clerk requesting submission of the resolution. Whenever a  
3 number of electors cannot be determined on the basis of reported statistics, the  
4 number shall be determined in accordance with s. 60.74 (6). If a petition is filed, the  
5 question submitted shall be whether the resolution shall or shall not be approved.

6 This paragraph is limited in its scope by sub. (7).

7 (b) No city or village may issue bonds for any purposes other than for water  
8 systems, lighting works, gas works, bridges, street lighting, street improvements,  
9 street improvement funding, hospitals, airports, harbor improvements, river  
10 improvements, breakwaters and protection piers, sewerage, garbage disposal,  
11 rubbish or refuse disposal, any combination of sewage, garbage or refuse or rubbish  
12 disposal, parks and public grounds, swimming pools and band shells, veterans  
13 housing projects, paying the municipality's portion of the cost of abolishing grade  
14 crossings, for the construction of police facilities and combined fire and police safety  
15 buildings, for the purchase of sites for engine houses, for fire engines and other  
16 equipment of the fire department, for construction of engine houses, and for pumps,  
17 water mains, reservoirs and all other reasonable facilities for fire protection  
18 apparatus or equipment for fire protection, for parking lots or other parking  
19 facilities, for school purposes, for libraries, for buildings for the housing of machinery  
20 and equipment, for acquiring and developing sites for industry and commerce as will  
21 expand the municipal tax base, for financing the cost of low-interest mortgage loans  
22 under s. 62.237, for providing financial assistance to blight elimination, slum  
23 clearance, community development, redevelopment and urban renewal programs  
24 and projects under ss. 66.1105, 66.1301 to 66.1329 and 66.1331 to 66.1337 or for  
25 University of Wisconsin System college campuses, as defined in s. 36.05 (6m), until

## ASSEMBLY BILL 2

1 the proposition for their issue for the special purpose has been submitted to the  
2 electors of the city or village and adopted by a majority vote. Except as provided  
3 under sub. (15), if the common council of any city or the village board of a village  
4 declares its purpose to raise money by issuing bonds for any purpose other than those  
5 specified in this subsection, it shall direct by resolution, which shall be recorded at  
6 length in the record of its proceedings, the clerk to call a ~~special election~~ referendum  
7 in accordance with s. 8.065 for the purpose of submitting the question of bonding to  
8 the city or village electors. If a number of electors of a city or village equal to at least  
9 15% of the votes cast for governor at the last general election in their city or village  
10 sign and file a petition conforming to the requirements of s. 8.40 with the city or  
11 village clerk requesting submission of the resolution, the city or village may not issue  
12 bonds for financing the cost of low-interest mortgage loans under s. 62.237 ~~without~~  
13 ~~calling a special election to submit the question of bonding to~~ unless the issuance is  
14 approved by the city or village electors for their approval at a referendum called in  
15 accordance with s. 8.065.

16 <sup>155mh</sup> SECTION 29. 67.05 (6a) (a) 2. a. of the statutes is amended to read:  
17 67.05 (6a) (a) 2. a. Direct the school district clerk to call a ~~special election~~  
18 referendum in accordance with s. 8.065 (2) or an election authorized under s. 8.065  
19 (3) for the purpose of submitting the resolution to the electors for approval or  
20 rejection, ~~or direct that the resolution be submitted at the next regularly scheduled~~  
21 primary or election permitted under s. 8.065 (2) or an election authorized under s.  
22 8.065 (3) to be held not earlier than 45 days after the adoption of the resolution. The  
23 resolution shall not be effective unless adopted by a majority of the school district  
24 electors voting at the referendum. <sup>155mh</sup>

25 SECTION 30. 67.05 (6m) (b) of the statutes is amended to read:

ASSEMBLY BILL 2

1 67.05 (6m) (b) If a referendum is to be held on an initial resolution, the district  
2 board shall direct the technical college district secretary to call a ~~special election~~  
3 referendum in accordance with s. 8.065 for the purpose of submitting the initial  
4 resolution to the electors for ~~a referendum on approval or rejection. In lieu of a~~  
5 ~~special election, the district board may specify that the election be held at the next~~  
6 ~~succeeding spring primary or election or September primary or general election.~~

155mj

7 SECTION 31. 67.10 (5) (b) of the statutes is amended to read:

8 67.10 (5) (b) Any city having ~~voted~~ approved the issuance of bonds at a special  
9 referendum election held in accordance with s. 8.065 and having sold a portion  
10 thereof may negotiate, sell or otherwise dispose of the same in the manner provided  
11 by statute within 9 years of the date of the election voting the same.

was affected by 2001 Wisconsin Act 16,

155ml

12 SECTION 32. 67.12 (12) (e) 5. of the statutes is amended to read:

13 67.12 (12) (e) 5. Within 10 days of the adoption by a technical college district  
14 board of a resolution under subd. 1. to issue a promissory note for a purpose under  
15 s. 38.16 (2), the secretary of the district board shall publish a notice of such adoption  
16 as a class 1 notice, under ch. 985. The notice need not set forth the full contents of  
17 the resolution, but shall state the amount proposed to be borrowed, the method of  
18 borrowing, the purpose thereof, that the resolution was adopted under this  
19 subsection and the place where and the hours during which the resolution is  
20 available for public inspection. If the amount proposed to be borrowed is for building  
21 remodeling or improvement and does not exceed ~~\$500,000~~ \$1,000,000 or is for movable  
22 equipment, the district board need not submit the resolution to the electors for  
23 approval unless, within 30 days after the publication or posting, a petition  
24 conforming to the requirements of s. 8.40 is filed with the secretary of the district  
25 board requesting a referendum ~~at a special election~~ to be called for that purpose.

017015010  
P2007 6/15/10

ASSEMBLY BILL 2

1 Such petition shall be signed by electors from each county lying wholly or partially  
 2 within the district. The number of electors from each county shall equal at least 1.5%  
 3 of the population of the county as determined under s. 16.96 (2) (c). If a county lies  
 4 in more than one district, the technical college system board shall apportion the  
 5 county's population as determined under s. 16.96 (2) (c) to the districts involved and  
 6 the petition shall be signed by electors equal to the appropriate percentage of the  
 7 apportioned population. ~~In lieu of a special election, the district board may specify~~  
 8 ~~that the referendum shall be held at the next succeeding spring primary or election~~  
 9 ~~or September primary or general election.~~ Any resolution to borrow amounts of  
 10 money in excess of ~~\$500,000~~ <sup>\$1,000,000</sup> for building remodeling or improvement shall be  
 11 submitted to the electors of the district for approval. Any referendum under this  
 12 subdivision shall be called at the next election authorized under s. 8.065 (2) or an  
 13 election authorized under s. 8.065 (3) occurring not sooner than 45 days after filing  
 14 of a petition or adoption of a resolution requiring the referendum. If a referendum  
 15 is held or required under this subdivision, no promissory note may be issued until  
 16 the issuance is approved by a majority of the district electors voting at such  
 17 referendum. The referendum shall be noticed, called and conducted under s. 67.05  
 18 (6a) insofar as applicable, except that the notice of ~~special election referendum~~ and  
 19 ballot need not embody a copy of the resolution and the question which shall appear  
 20 on the ballot shall be "Shall .... (name of district) be authorized to borrow the sum of  
 21 \$.... for (state purpose) by issuing its general obligation promissory note (or notes)  
 22 under section 67.12 (12) of the Wisconsin Statutes?". <sup>Lev us</sup>

23 "SECTION 33. 81.01 (3) (b) (intro.) of the statutes is amended to read:  
 24 <sup>257M</sup> 81.01 (3) (b) (intro.) The town board, by resolution, submits to the electors of the  
 25 town as a referendum at ~~a general or special town~~ an election authorized under s.

JUSTIN 5

as affected by 2001 Wisconsin Act 101

257C

PROOF w/ #0610

ASSEMBLY BILL 2

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

8.065 the question of exceeding the ~~50,000~~ limit set under this subsection. A copy of the resolution shall be filed as provided in s. 8.37. The board shall abide by the majority vote of the electors of the town on the question. The question shall read as follows: "

"SECTION 31. 86.21 (2) (a) of the statutes is amended to read:

86.21 (2) (a) Before any such toll bridge is constructed or acquired under this section, a resolution authorizing the construction or acquisition thereof, and specifying the method of payment therefor, shall be adopted by a majority of the members of the governing body of such county, town, village or city at a regular meeting; after publication of said resolution, as a class 2 notice, under ch. 985. The resolution shall include a general description of the property it is proposed to acquire or construct. Any county, town, village or city constructing or acquiring a toll bridge under this section may provide for the payment of the same or any part thereof from the general fund, from taxation, or from the proceeds of either municipal bonds, revenue bonds or as otherwise provided by law. Such resolution shall not be effective until 15 days after its passage and publication. If within said 15 days a petition conforming to the requirements of s. 8.40 is filed with the clerk of such municipality, and filed as provided in s. 8.37, signed by at least 20% of the electors thereof requesting that the question of acquiring such toll bridge be submitted to the said electors, such question shall be submitted at ~~any general or regular municipal~~ the next election authorized under s. 8.065 (2) or an election authorized under s. 8.065 (3) that is held not sooner than 42 days from the date of filing such petition. ~~In case no such general or regular municipal election is to be held within such stated period, then the governing body of such municipality shall order a special election to be held within 30 days from the filing of such petition upon the question of whether such toll~~

INSCPT  
K

259d

29d

ASSEMBLY BILL 2

1 ~~bridge shall be acquired by said municipality.~~ The question submitted to the electors  
 2 shall specify the method of payment for such toll bridge as provided in the resolution  
 3 for the acquisition thereof. If no such petition is filed, or if the majority of votes cast  
 4 at such referendum election are in favor of the acquisition of such toll bridge, then  
 5 the resolution of the governing body for the acquisition of such toll bridge shall be in  
 6 effect. " *Leads to*

INSSM  
L

"SECTION 35. 117.20 of the statutes is amended to read:

2801

8 **117.20 Referendum procedures.** (1) If a referendum is required under ss.  
 9 117.08 to 117.11, it shall be held on the Tuesday after the first Monday in November  
 10 occurring not sooner than 45 days following receipt of the petition or adoption of the  
 11 resolution under s. 117.08 (3) (a), 117.09 (3) (a), 117.10 (3) (a) or 117.11 (4) (a). If a  
 12 referendum is required under s. 117.105, it shall be held on the Tuesday after the first  
 13 Monday in the 2nd November occurring not sooner than 45 days following receipt of  
 14 the petition or adoption of the resolution under s. 117.105 (1).

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

ASSEMBLY BILL 2

SECTION 36

Insert  
m

284fa

1 SECTION 36. 119.48 (4) (b) and (c) of the statutes are amended to read:

2 119.48 (4) (b) The communication shall state the purposes for which the funds  
3 from the increase in the levy rate will be used and shall request the common council  
4 to submit to the voters of the city the question of exceeding the levy rate specified in  
5 s. 65.07 (1) (f) at the ~~September election or a special~~ an election authorized under s.  
6 8.065.

7 (c) Upon receipt of the communication, the common council shall file the  
8 communication as provided in s. 8.37 and shall cause the question of exceeding the  
9 levy rate specified under s. 65.07 (1) (f) to be submitted to the voters of the city at the  
10 ~~September election or at a special~~ next election authorized under s. 8.065 (2) or an  
11 election authorized under s. 8.065 (3) to be held not sooner than 45 days after receipt  
12 of the communication. The question of exceeding the levy rate specified under s.  
13 65.07 (1) (f) shall be submitted so that the vote upon exceeding the levy rate specified  
14 in s. 65.07 (1) (f) is taken separately from any other question submitted to the voters.  
15 If a majority of the electors voting on the question favors exceeding the levy rate  
16 specified under s. 65.07 (1) (f), the common council shall approve the increase in the  
17 levy rate and shall levy and collect a tax equal to the amount of money approved by  
18 the electors.

284ff

19 SECTION 37. 119.49 (1) (b) and (2) of the statutes are amended to read:

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

## ASSEMBLY BILL 2

1           (2) Upon receipt of the communication, the common council shall file the  
2 communication as provided in s. 8.37 and shall cause the question of issuing such  
3 school bonds in the stated amount and for the stated school purposes to be submitted  
4 to the voters of the city at the next election ~~held in the city~~ authorized under s. 8.065  
5 (2) or an election authorized under s. 8.065 (3) that occurs not sooner than 45 days  
6 after the date of receipt of the communication. The question of issuing such school  
7 bonds shall be submitted so that the vote upon issuing such school bonds is taken  
8 separately from any other question submitted to the voters. If a majority of the  
9 electors voting on the school bond question favors issuing such school bonds, the  
10 common council shall cause the school bonds to be issued immediately or within the  
11 period permitted by law, in the amount requested by the board and in the manner  
12 other bonds are issued. " *Law us*

13           ~~SECTION 38.~~ 121.91 (3) (a) of the statutes is amended to read:

14           2888 121.91 (3) (a) If a school board wishes to exceed the limit under sub. (2m)  
15 otherwise applicable to the school district in any school year, it shall promptly adopt  
16 a resolution supporting inclusion in the final school district budget of an amount  
17 equal to the proposed excess revenue. The resolution shall specify whether the  
18 proposed excess revenue is for a recurring or nonrecurring purpose, or, if the  
19 proposed excess revenue is for both recurring and nonrecurring purposes, the  
20 amount of the proposed excess revenue for each purpose. The resolution shall be filed  
21 as provided in s. 8.37. Within 10 days after adopting the resolution, the school board  
22 shall notify the department of the scheduled date of the referendum and submit a  
23 copy of the resolution to the department. The school board shall call a special  
24 referendum in accordance with s. 8.065 for the purpose of submitting the resolution  
25 to the electors of the school district for approval or rejection. ~~In lieu of a special~~



ASSEMBLY BILL 2

1 referendum, ~~the school board may specify that the referendum be held at the next~~  
 2 ~~succeeding spring primary or election or September primary or general election, if~~  
 3 ~~such election is,~~ to be held not sooner than 42 days after the filing of the resolution  
 4 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. <sup>11</sup> *Lead Ins*

*Hoscar P*

<sup>11</sup> SECTION ~~39~~ 197.04 (1) (b) and (2) of the statutes are amended to read:

*346th*  
 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 as provided in s. 8.37 and the petition has been signed by 5% of the  
 10 electors of a 1st class city or by 10% of the electors of all other municipalities  
 11 requesting that the question of discontinuing the proceeding to acquire the plant or  
 12 equipment of the public utility be submitted to the electors of the municipality, the  
 13 applicable question under par. (c) shall be submitted to the electors at ~~any general~~  
 14 ~~or regular municipal~~ the succeeding election authorized under s. 8.065 (2) or an  
 15 election authorized under s. 8.065 (3) that is held not less than 42 and not more than  
 16 47 days from the date of the filing of the petition. ~~If no general election or regular~~  
 17 ~~municipal election is to be held within the stated periods, the governing body of the~~  
 18 ~~municipality shall order the holding of a special election, to be held not less than 42~~  
 19 ~~days from the date of filing of the petition, for the purpose of submitting the question~~  
 20 ~~to the electors.~~

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

## ASSEMBLY BILL 2

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.~~ (346+f)

6 SECTION 40. 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 filed  
10 as provided in s. 8.37 and submitted in such manner as the common council shall  
11 determine to a vote of the electors of such city at the next ~~regular municipal~~ election  
12 ~~or at a special election called for that purpose~~ authorized under s. 8.065 (2) or an  
13 election authorized under s. 8.065 (3) to be held not sooner than 45 days after  
14 approval of the commission, and such contract shall not become binding upon such  
15 city until approved by a majority vote of the qualified electors of such city voting  
16 thereon. No bonds shall in any case be issued by said city under the contract or  
17 contracts mentioned in sub. (1), until the proposition of their issue shall have been  
18 submitted to the people of such city and adopted by a majority of the electors voting  
19 thereon. (346+h)

20 SECTION 41. 198.19 (1) of the statutes is amended to read:

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

ASSEMBLY BILL 2

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

(1) (2) (3) (4) (5) (6) (7) (8) (9) (10) (11) (12) (13) (14)

INSECT 2

Insert 26-12

~~Section 42 Initial applicability.~~

~~This first applies with respect to referenda called on the effective date of this subsection. "~~

(CS) LOCAL GOVERNMENT SCHEDULING REFERENDA. The treatment of sections

of the statutes and the creation of sections 8.065 and 15.675

120

JUSSON 11-10 ✓

151md

~~in 6/25/02 by [unclear] 10/20/02~~

Section #. 66.0217 (7) (a) 3. of the statutes is amended to read:

at the next election permitted under s. 8.045 (2) or an election authorized under s. 8.045 (3), but

66.0217 (7) (a) 3. If the notice indicates that the petition is for a referendum on the question of annexation, the clerk of the city or village shall file the notice as provided in s. 8.37. If the notice indicates that the petition is for a referendum on the question of annexation, the town clerk shall give notice as provided in par. (c) of a referendum of the electors residing in the area proposed for annexation to be held not less than 42 days ~~nor more than 72 days~~ after the date of personal service or mailing of the notice required under this paragraph. If the notice indicates that the petition is for direct annexation, no referendum shall be held unless within 30 days after the date of personal service or mailing of the notice required under this paragraph, a petition conforming to the requirements of s. 8.40 requesting a referendum is filed with the town clerk as provided in s. 8.37, signed by at least 20% of the electors residing in the area proposed to be annexed. If a petition requesting a referendum is filed, the clerk shall give notice as provided in par. (c) of a referendum of the electors residing in the area proposed for annexation to be held not less than 42 days ~~nor more than 72 days~~ after the receipt of the petition and shall mail a copy of the notice to the clerk of the city or village to which the annexation is proposed. The referendum shall be held at a convenient place within the town to be specified in the notice.

History: 1973 c. 37, 90, 143, 333; 1977 c. 29 ss. 698, 1654 (8) (c); 1977 c. 187 s. 134; 1977 c. 315, 447; 1979 c. 323; 1979 c. 361 s. 112; 1983 a. 29, 189, 219; 1985 a. 225; 1987 a. 391; 1989 a. 192; 1991 a. 5, 39, 269, 316; 1993 a. 16, 247, 301, 329, 491; 1995 a. 27 ss. 3308 to 3312, 9116 (5), 9145 (1); 1995 a. 201, 225; 1997 a. 27; 1999 a. 96; 1999 a. 150 ss. 44 to 47, 49 to 60, 63 to 65; Stats. 1999 s. 66.0217; 1999 a. 182 s. 197; 2001 a. ~~16~~, 30.

15/mf

IUSCOT 12-14

Section 66.0219 (4) (b) of the statutes, as affected by 2001 Wisconsin Act 20, is amended to read:

at the next election permitted under s. 8.065 (2) or <sup>an</sup> ~~an~~ election authorized under s. 8.065 (3), but

66.0219 (4) (b) The referendum election shall be held ~~not less than 42 days nor more than 72 days~~ after the filing of the order as provided in s. 8.37, in the territory proposed for annexation, by the electors of that territory as provided in s. 66.0217 (7), so far as applicable. The ballots shall contain the words "For Annexation" and "Against Annexation". The certification of the election inspectors shall be filed with the clerk of the court, and the clerk of any municipality involved, but need not be filed or recorded with the register of deeds.

History: 1979 c. 89; 1987 a. 391; 1991 a. 269; 1993 a. 301, 329; 1995 a. 201; 1999 a. 150 s. 68; Stats. 1999 s. 66.0219; 1999 a. 182 s. 200; 2001 a. 30.

15/mh

IRBUNX 13-9

Section #. 66.0227 (3) of the statutes, as affected by 2001 Wisconsin Act 80, is amended to read:

held at the next election permitted under s. 8.065 (2) or ~~an~~ election authorized under s. 8.065 (3), but

66.0227 (3) The governing body of a city, village or town involved may, or if a petition conforming to the requirements of s. 8.40 signed by a number of qualified electors equal to at least 5% of the votes cast for governor in the city, village or town at the last gubernatorial election, demanding a referendum, is presented to it within 30 days after the passage of either of the ordinances under sub. (2) shall, submit the question to the electors of the city, village or town whose electors petitioned for detachment, at a referendum election ~~called for that purpose~~ not less than 42 days ~~nor more than 72 days~~ after the filing of the petition, or after the enactment of either ordinance. The petition shall be filed as provided in s. 8.37. If a number of electors cannot be determined on the basis of reported election statistics, the number shall be determined in accordance with s. 60.74 (6). The governing body of the municipality shall appoint 3 election inspectors who are resident electors to supervise the referendum. The ballots shall contain the words "For Detachment" and "Against Detachment". The inspectors shall certify the results of the election by their attached affidavits and file a copy with the clerk of each town, village or city involved, and none of the ordinances may take effect nor be in force unless a majority of the electors approve the question. The referendum election shall be conducted in accordance with chs. 6 and 7 to the extent applicable. " ✓

History: 1973 c. 90; 1983 a. 29; 1987 a. 391; 1989 a. 192; 1991 a. 5, 269; 1993 a. 301; 1999 a. 150 s. 66; Stats. 1999 s. 66.0227; 1999 a. 182 s. 198; 2001 a. 30.

153 kf

TRUSEL 14-6

Section #. 66.0815 (1) (c) of the statutes, as affected by 2001 Wisconsin Act 30, is amended to read:

permitted under s. 8.065 (2) or <sup>an</sup>~~a~~ election authorized under s. 8.065 (3) to be held not sooner than 45 days after

66.0815 (1) (c) An ordinance under sub. (1) may not take effect until 60 days after passage and publication unless sooner approved by a referendum. Within the 60-day period electors equal in number to 20% of those voting at the last regular municipal election may file a petition requesting a referendum. The petition shall be in writing and filed with the clerk ~~and~~ as provided in s. 8.37. The petition shall conform to the requirements of s. 8.40. Each signer shall state his or her residence and signatures shall be verified by the affidavit of an elector. The referendum shall be held at the next regular municipal election, or at a special election within ~~90 days of the~~ filing of the petition. The ordinance may not take effect unless approved by a majority of the votes cast. This paragraph does not apply to extensions by a utility previously franchised by the village, city, or town.

History: 1977 c. 29; 1981 c. 347 s. 80 (2); 1981 c. 390 s. 252; 1991 a. 316; 1993 a. 16, 246; 1995 a. 378; 1999 a. 150 s. 169; Stats. 1999 s 66.0815; 1999 a. 182 s. 204d; 2001 a. 30.

153KL

INSERT 15-3



Section ~~66.1103~~ 66.1103 (10) (d) of the statutes, ~~as amended by 2001 Wisconsin Act 30~~ is amended to read:

a number of electors of the municipality equal to

66.1103 (10) (d) The governing body may issue bonds under this section without submitting the proposition to the electors of the municipality for approval unless within 30 days from the date of publication of notice of adoption of the initial resolution for the bonds, a petition conforming to the requirements of s. 8.40<sup>and</sup> signed by not less than 5% of the registered electors of the municipality, or, if there is no registration of electors in the municipality, by 10% of the number of electors of the municipality voting for the office of governor at the last general election as determined under s. 115.01 (13), is filed with the clerk of the municipality and as provided in s. 8.37 requesting a referendum upon the question of the issuance of the bonds. If a petition is filed, the bonds may not be issued until approved by a majority of the electors of the municipality voting on the referendum at a ~~general or special election~~. referendum called in accordance with s. 8.045

History: 1973 c. 265; 1977 c. 28; 1979 c. 32 s. 92 (9); 1979 c. 34, 221, 350, 355; 1979 c. 361 s. 112; 1979 c. 362 ss. 3 to 12, 16, 17, 18; 1981 c. 314; 1983 a. 24, 27; 1983 a. 189 ss. 63 to 65, 329 (14); 1983 a. 207 s. 93 (8); 1983 a. 532 s. 36; 1985 a. 29, 222, 285; 1985 a. 297 s. 76; 1985 a. 299; 1987 a. 27; 1989 a. 192; 1991 a. 39, 316; 1993 a. 122, 124, 453; 1995 a. 27 ss. 9116 (5), 9130 (4); 1995 a. 201, 225, 227, 332; 1997 a. 3, 27, 35, 39; 1999 a. 9; 1999 a. 150 ss. 495 to 497; Stats. 1999 s. 66.1103; 1999 a. 182 s. 206; 2001 a. 30, 38.



INSECTS

2001 ASSEMBLY BILL 2

January 16, 2001 - Introduced by Representatives SKINDRUP, JENSEN, WALKER, WARD, AINSWORTH, BIES, FREESE, GUNDERSON, HAHN, HOVEN, HUEBSCH, JESKEWITZ, KRACZYK, LADWIG, F. LASEE, LEIBHAM, MCCORMICK, D. MEYER, NASS, RHOADES, STONE, URBAN, VRAKAS, ALBERS and FRISKE, cosponsored by Senator WELCH. Referred to Committee on Tax and Spending Limitations.

INSECT 26-12

1.

15.615

1 ~~AN ACT to amend~~ 7.15 (2) (d), 8.05 (3) (d) and (e), 8.06, <sup>8.065</sup> 9.20 (4), <sup>15.615</sup> 24.66 (3) (b) ~~and~~ 24.66

2 ~~and~~ (4), 32.72 (1), 38.15 (1), 59.08 (7) (b), 59.605 (3) (a) 1., 60.62 (2), 60.74 (5) (b),

3 61.187 (1), 61.46 (1), 62.09 (1) (a), 64.03 (1), 64.39 (3), 66.0101 (8), 66.0217 (7)

4 ~~66.0662 (3) (a) (with respect to scheduling of referenda),~~

5 ~~(a) 3., 66.0219 (4) (b), 66.0227 (3), 66.0619 (2m) (b), 66.0815 (1) (c), 66.0921 (2),~~

6 ~~66.1103 (10) (d), 67.05 (4), and (5), 67.05 (6a) (a) 2. a., 67.05 (6m) (b), 67.10 (5)~~

7 (b), 67.12 (12) (e) 5., 81.01 (3) (b) (intro.), 86.21 (2) (a), 117.20, 119.48 (4) (b) and

8 (c), 119.49 (1) (b) and (2), 121.91 (3) (a), 197.04 (1) (b) and (2), 197.10 (2), and

9 198.19 (1) ~~and to create 8.065 and 15.615 of the statutes; relating to~~

~~scheduling of referenda by local governments.~~

of the statutes

**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