



State of Wisconsin
2001 - 2002 LEGISLATURE
January 2002 Special Session

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Emk

LFB:.....Onsager - Scheduling of local government referenda

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT,

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO ASSEMBLY BILL 1

*Changes on pages
3 & 14 only*

1 At the locations indicated, amend the substitute amendment as follows:
2 1. Page 3, line 12: after that line insert:
3 "SECTION 1g. 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 1j.** 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 to be held in the town or at a special election called for the purpose. When
8 a petition requesting adoption of the nonpartisan primary conforming to the
9 requirements of s. 8.40 signed by at least 20 electors of the town is filed with the town
10 clerk as provided in s. 8.37, the question shall be submitted to a vote.

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

16 **SECTION 1L.** 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 1n.** 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 on the date of the spring primary, spring
2 election, September primary, or general election, or on the 2nd Tuesday ⁱⁿ
3 September or the first Tuesday after the first Monday in November of an
4 odd-numbered year.

5 (3) If a local governmental unit wishes to hold a special referendum on a date
6 that is not concurrent with an election specified in s. 5.02 (5), (18), (21), or (22) or on
7 a date other than the 2nd Tuesday in September or the first Tuesday after the first
8 Monday in November of an odd-numbered year, the local governmental unit may
9 petition the referendum appeal board for a determination that an emergency exists
10 with respect to a particular question. The referendum appeal board shall make a
11 determination within 10 days after receipt of a petition under this subsection. If the
12 referendum appeal board finds, with the concurrence of at least 4 members, that an
13 emergency exists which requires a special referendum to be held by a local
14 governmental unit on a date that is not concurrent with an election specified in s.
15 5.02 (5), (18), (21), or (22) or on a date other than the 2nd Tuesday in September or
16 the first Tuesday after the first Monday in November of an odd-numbered year, the
17 board may permit a referendum relating to the question specified in the petition to
18 be held on a date determined by the local governmental unit.

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

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

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

7 **2.** Page 10, line 8: after that line insert:

8 “**SECTION 14k.** 15.615 of the statutes is created to read:

9 **15.615 Same; attached boards.**

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

15 **3.** Page 28, line 8: after that line insert:

16 “**SECTION 73m.** 24.66 (3) (b) of the statutes is amended to read:

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

24 **SECTION 73p.** 24.66 (4) of the statutes is amended to read:

1 24.66 (4) POPULAR VOTE, WHEN REQUIRED. If any municipality is not empowered
2 by law to incur indebtedness for a particular purpose without first submitting the
3 question to its electors, the application for a state trust fund loan for that purpose
4 must be approved and authorized by a majority vote of the electors at a ~~special~~
5 ~~election~~ referendum called, in accordance with s. 8.065, and noticed and held in the
6 manner provided for other ~~special elections~~ referenda. The question to be voted on
7 shall be filed as provided in s. 8.37. The notice of the ~~election~~ referendum shall state
8 the amount of the proposed loan and the purpose for which it will be used.”.

9 **4.** Page 31, line 8: after that line insert:

10 “SECTION 92m. 32.72 (1) of the statutes is amended to read:

11 32.72 (1) Sections 32.50 to 32.71 do not take effect in any city until the following
12 question is submitted to the electors of the city at a ~~special election~~ referendum called
13 in accordance with s. 8.065 and adopted by a majority vote of the electors voting:
14 “Shall subchapter II of chapter 32, Wisconsin Statutes, be effective in the city of
15, thus allowing the city to acquire and condemn property for street
16 widening and similar purposes, financed through assessments of benefits and
17 damages?”. The question shall be filed as provided in s. 8.37.”.

18 **5.** Page 32, line 2: after that line insert:

19 “SECTION 97m. 38.15 (1) of the statutes, as affected by 2001 Wisconsin Act 16,
20 is amended to read:

21 38.15 (1) Subject to sub. (3), if the district board intends to make a capital
22 expenditure in excess of \$1,000,000, excluding moneys received from gifts, grants or
23 federal funds, for the acquisition of sites, purchase or construction of buildings, the
24 lease/purchase of buildings if costs exceed \$1,000,000 for the lifetime of the lease,

1 building additions or enlargements or the purchase of fixed equipment relating to
2 any such activity, it shall adopt a resolution stating its intention to do so and
3 identifying the anticipated source of revenue for each project and shall submit the
4 resolution to the electors of the district for approval. The referendum may be held
5 at any election authorized under s. 8.065 and shall be noticed, called and conducted
6 as provided in s. 67.05 (3) insofar as applicable. For the purposes of this section, all
7 projects located on a single campus site within one district which are bid
8 concurrently or which are approved by the board under s. 38.04 (10) within a 2-year
9 period shall be considered as one capital expenditure project.”.

10 **6.** Page 48, line 10: after that line insert:

11 “**SECTION 150kd.** 59.08 (7) (b) of the statutes is amended to read:

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

23 **SECTION 150kf.** 59.605 (3) (a) 1. of the statutes is amended to read:

1 59.605 (3) (a) 1. If the governing body of a county wishes to exceed the operating
2 levy rate limit otherwise applicable to the county under this section, it shall adopt
3 a resolution to that effect. The resolution shall specify either the operating levy rate
4 or the operating levy that the governing body wishes to impose for either a specified
5 number of years or an indefinite period. The governing body shall ~~call a special~~
6 ~~referendum for the purpose of submitting the resolution to the electors of the county~~
7 ~~for approval or rejection. In lieu of a special referendum, the governing body may~~
8 ~~specify that~~ provide for the referendum to be held at the next succeeding spring
9 ~~primary or election or September primary or general election to be held~~ authorized
10 under s. 8.065 (2) or an election authorized under s. 8.065 (3) that occurs not earlier
11 than 42 days after the adoption of the resolution of the governing body. The
12 governing body shall file the resolution to be submitted to the electors as provided
13 in s. 8.37.

14 **SECTION 150kh.** 60.62 (2) of the statutes is amended to read:

15 60.62 (2) If the county in which the town is located has enacted a zoning
16 ordinance under s. 59.69, the exercise of the authority under sub. (1) is subject to
17 approval by the town meeting or by a referendum vote of the electors of the town to
18 be held at the time of any regular or special election in accordance with s. 8.065. The
19 question for the referendum vote shall be filed as provided in s. 8.37.

20 **SECTION 150kj.** 60.74 (5) (b) of the statutes is amended to read:

21 60.74 (5) (b) A petition conforming to the requirements of s. 8.40 signed by
22 qualified electors of the district equal to at least 20% of the vote cast for governor in
23 the district at the last gubernatorial election, requesting a change to appointment
24 of commissioners, may be submitted to the town board, subject to sub. (5m) (a). The
25 petition shall be filed as provided in s. 8.37. Upon receipt of the petition, the town

1 board shall submit the question to a referendum at the next ~~regular spring~~ election
2 ~~or general election, or shall call a special election for that purpose~~ authorized under
3 s. 8.065 (2) or an election authorized under s. 8.065 (3) to be held not sooner than 45
4 days after receipt of the petition by the town board. The inspectors shall count the
5 votes and submit a statement of the results to the commission. The commission shall
6 canvass the results of the election and certify the results to the town board which has
7 authority to appoint commissioners.

8 **SECTION 150kL.** 61.187 (1) of the statutes is amended to read:

9 61.187 (1) PROCEDURE. Whenever a petition conforming to the requirements
10 of s. 8.40, signed by at least one-third as many electors of any village as voted for
11 village officers at the next preceding election therefor, shall be presented to the
12 village board, and filed as provided in s. 8.37, praying for dissolution of the village
13 corporation, such board shall submit to the electors of such village, for determination
14 by ballot in substantially the manner provided by ss. 5.64 (2) and 10.02, at ~~a general~~
15 ~~election or at a special election called by them for that purpose~~ the next election
16 authorized under s. 8.065 (2) or an election authorized under s. 8.065 (3) to be held
17 not sooner than 45 days after presentation of the petition, the question whether or
18 not such village corporation shall be dissolved.

19 **SECTION 150kn.** 61.46 (1) of the statutes is amended to read:

20 61.46 (1) GENERAL; LIMITATION. The village board shall, on or before December
21 15 in each year, by resolution to be entered of record, determine the amount of
22 corporation taxes to be levied and assessed on the taxable property in such village
23 for the current year. Before levying any tax for any specified purpose, exceeding one
24 percent of the assessed valuation aforesaid, the village board shall, and in all other
25 cases may in its discretion, submit the question of levying the same to the village

1 electors at ~~any general or special~~ the next election authorized under s. 8.065 (2) or
2 an election authorized under s. 8.065 (3) to be held no sooner than 45 days after
3 adoption of the resolution by giving 10 days' notice thereof prior to such election by
4 publication in a newspaper published in the village, if any, and if there is none, then
5 by posting notices in 3 public places in said village, setting forth in such notices the
6 object and purposes for which such taxes are to be raised and the amount of the
7 proposed tax. The village board shall file the question as provided in s. 8.37.

8 **SECTION 150kp.** 62.09 (1) (a) of the statutes is amended to read:

9 62.09 (1) (a) The officers shall be a mayor, treasurer, clerk, comptroller,
10 attorney, engineer, one or more assessors unless the city is assessed by a county
11 assessor under s. 70.99, one or more constables as determined by the common
12 council, a local health officer, as defined in s. 250.01 (5), or local board of health, as
13 defined in s. 250.01 (3), street commissioner, board of police and fire commissioners
14 except in cities where not applicable, chief of police, chief of the fire department,
15 board of public works, 2 alderpersons from each aldermanic district, and such other
16 officers or boards as are created by law or by the council. If one alderperson from each
17 aldermanic district is provided under s. 66.0211 (1), the council may, by ordinance
18 adopted by a two-thirds vote of all its members and approved by the electors at a
19 ~~general or special~~ any election authorized under s. 8.065, provide that there shall be
20 2 alderpersons from each aldermanic district.

21 **SECTION 150kr.** 64.03 (1) of the statutes is amended to read:

22 64.03 (1) Every ordinance or resolution for the adoption of ss. 64.01 to 64.15,
23 and every petition for a ~~special election~~ referendum on the same, shall state the
24 number of members of which the council herein provided for shall be composed, the
25 term of office of its members, which term shall not exceed 2 years, whether they shall

1 be nominated and elected from aldermanic districts or from the city at large, and the
2 compensation, if any, which they shall receive.

3 **SECTION 150kt.** 64.39 (3) of the statutes is amended to read:

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

10 **SECTION 150kv.** 66.0101 (8) of the statutes is amended to read:

11 66.0101 (8) A charter ordinance enacted or approved by a vote of the electors
12 controls over any prior or subsequent act of the legislative body of the city or village.
13 If the electors of any city or village by a majority vote have adopted or determined
14 to continue to operate under either ch. 62 or 64, or have determined the method of
15 selection of members of the governing board, the question shall not again be
16 submitted to the electors, nor action taken on the question, within a period of 2 years.
17 Any election to change or amend the charter of any city or village, other than ~~a~~
18 ~~special~~ an election as provided in called under s. 9.20 (4), shall be held at the time
19 provided by statute for holding the spring election.”.

20 **7.** Page 49, line 18: after that line insert:

21 **“SECTION 151md.** 66.0217 (7) (a) 3. of the statutes is amended to read:

22 66.0217 (7) (a) 3. If the notice indicates that the petition is for a referendum
23 on the question of annexation, the clerk of the city or village shall file the notice as
24 provided in s. 8.37. If the notice indicates that the petition is for a referendum on the

1 question of annexation, the town clerk shall give notice as provided in par. (c) of a
2 referendum of the electors residing in the area proposed for annexation to be held at
3 the next election permitted under s. 8.065 (2) or an election authorized under s. 8.065
4 (3), but not less than 42 days nor more than 72 days after the date of personal service
5 or mailing of the notice required under this paragraph. If the notice indicates that
6 the petition is for direct annexation, no referendum shall be held unless within 30
7 days after the date of personal service or mailing of the notice required under this
8 paragraph, a petition conforming to the requirements of s. 8.40 requesting a
9 referendum is filed with the town clerk as provided in s. 8.37, signed by at least 20%
10 of the electors residing in the area proposed to be annexed. If a petition requesting
11 a referendum is filed, the clerk shall give notice as provided in par. (c) of a referendum
12 of the electors residing in the area proposed for annexation to be held at the next
13 election permitted under s. 8.065 (2) or an election authorized under s. 8.065 (3), but
14 not less than 42 days nor more than 72 days after the receipt of the petition and shall
15 mail a copy of the notice to the clerk of the city or village to which the annexation is
16 proposed. The referendum shall be held at a convenient place within the town to be
17 specified in the notice.

18 **SECTION 151mf.** 66.0219 (4) (b) of the statutes is amended to read:

19 66.0219 (4) (b) The referendum election shall be held at the next election
20 permitted under s. 8.065 (2) or an election authorized under s. 8.065 (3), but not less
21 than 42 days nor more than 72 days after the filing of the order as provided in s. 8.37,
22 in the territory proposed for annexation, by the electors of that territory as provided
23 in s. 66.0217 (7), so far as applicable. The ballots shall contain the words "For
24 Annexation" and "Against Annexation". The certification of the election inspectors

1 shall be filed with the clerk of the court, and the clerk of any municipality involved,
2 but need not be filed or recorded with the register of deeds.

3 **SECTION 151mh.** 66.0227 (3) of the statutes is amended to read:

4 66.0227 (3) The governing body of a city, village or town involved may, or if a
5 petition conforming to the requirements of s. 8.40 signed by a number of qualified
6 electors equal to at least 5% of the votes cast for governor in the city, village or town
7 at the last gubernatorial election, demanding a referendum, is presented to it within
8 30 days after the passage of either of the ordinances under sub. (2) shall, submit the
9 question to the electors of the city, village or town whose electors petitioned for
10 detachment, at a referendum election called for that purpose held at the next election
11 permitted under s. 8.065 (2) or an election authorized under s. 8.065 (3), but not less
12 than 42 days ~~nor more than 72 days~~ after the filing of the petition, or after the
13 enactment of either ordinance. The petition shall be filed as provided in s. 8.37. If
14 a number of electors cannot be determined on the basis of reported election statistics,
15 the number shall be determined in accordance with s. 60.74 (6). The governing body
16 of the municipality shall appoint 3 election inspectors who are resident electors to
17 supervise the referendum. The ballots shall contain the words “For Detachment”
18 and “Against Detachment”. The inspectors shall certify the results of the election by
19 their attached affidavits and file a copy with the clerk of each town, village or city
20 involved, and none of the ordinances may take effect nor be in force unless a majority
21 of the electors approve the question. The referendum election shall be conducted in
22 accordance with chs. 6 and 7 to the extent applicable.”.

23 **8.** Page 51, line 9: delete the material beginning with “special” and ending
24 with “held” on line 13 and substitute “referendum on approval or rejection to be held

1 at the next election permitted under s. 8.065 (2) or an election authorized under s.
2 8.065 (3) occurring”.

3 **9.** Page 53, line 4: after that line insert:

4 **“SECTION 153kd.** 66.0619 (2m) (b) of the statutes is amended to read:

5 66.0619 (2m) (b) If a referendum is to be held on a resolution, the municipal
6 governing body shall file the resolution as provided in s. 8.37 and shall direct the
7 municipal clerk to ~~call a special election for the purpose of submitting~~ submit the
8 resolution to the electors for approval of the electors at a referendum on approval or
9 rejection. ~~In lieu of a special election, the municipal governing body may specify that~~
10 ~~the election be held at the next succeeding spring primary or election or September~~
11 ~~primary or general election~~ called in accordance with s. 8.065.

12 **SECTION 153kf.** 66.0815 (1) (c) of the statutes, as affected by 2001 Wisconsin
13 Act 30, is amended to read:

14 66.0815 (1) (c) An ordinance under sub. (1) may not take effect until 60 days
15 after passage and publication unless sooner approved by a referendum. Within the
16 60-day period electors equal in number to 20% of those voting at the last regular
17 municipal election may file a petition requesting a referendum. The petition shall
18 be in writing and filed with the clerk ~~and~~ as provided in s. 8.37. The petition shall
19 conform to the requirements of s. 8.40. Each signer shall state his or her residence
20 and signatures shall be verified by the affidavit of an elector. The referendum shall
21 be held at the next ~~regular municipal election, or at a special election within 90 days~~
22 ~~of the~~ permitted under s. 8.065 (2) or an election authorized under s. 8.065 (3) to be
23 held not sooner than 45 days after filing of the petition. The ordinance may not take

1 effect unless approved by a majority of the votes cast. This paragraph does not apply
2 to extensions by a utility previously franchised by the village, city, or town.

3 **SECTION 153kj.** 66.0921 (2) of the statutes is amended to read:

4 66.0921 (2) FACILITIES AUTHORIZED. A municipality may enter into a joint
5 contract with a nonprofit corporation organized for civic purposes and located in the
6 municipality to construct or otherwise acquire, equip, furnish, operate and maintain
7 a facility to be used for municipal and civic activities if a majority of the voters voting
8 in a referendum ~~at a special election or at a spring primary or election or September~~
9 ~~primary or general~~ authorize the municipality to enter into a joint contract. The
10 referendum shall be held at an election approve the question of entering into the joint
11 contract authorized under s. 8.065.

12 **SECTION 153kL.** 66.1103 (10) (d) of the statutes is amended to read:

13 66.1103 (10) (d) The governing body may issue bonds under this section
14 without submitting the proposition to the electors of the municipality for approval
15 unless within 30 days from the date of publication of notice of adoption of the initial
16 resolution for the bonds, a petition conforming to the requirements of s. 8.40, and
17 signed by a number of electors of the municipality equal to not less than 5% of the
18 registered electors of the municipality, or, if there is no registration of electors in the
19 municipality, by 10% of the number of electors of the municipality voting for the office
20 of governor at the last general election as determined under s. 115.01 (13), is filed
21 with the clerk of the municipality and as provided in s. 8.37 requesting a referendum
22 upon the question of the issuance of the bonds. If a petition is filed, the bonds may
23 not be issued until approved by a majority of the electors of the municipality voting
24 on the referendum at a ~~general or special election~~ referendum called in accordance
25 with s. 8.065.”

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1 **10.** Page 53, line 16: after that line insert:

2 “**SECTION 155md.** 67.05 (4) and (5) of the statutes are amended to read:

3 67.05 (4) PERMISSIVE REFERENDUM IN COUNTIES. If a county board adopts an
4 initial resolution for an issue of county bonds to provide for the original construction
5 or for the improvement and maintenance of highways, to provide railroad aid, or to
6 construct, acquire or maintain, or to aid in constructing, acquiring or maintaining
7 a bridge over or across any stream or other body of water bordering upon or
8 intersecting any part of the county, the county clerk is not required to submit the
9 resolution for approval to the electors of the county at a ~~special election~~ referendum
10 unless within 30 days after the adoption thereof there is filed with the clerk a petition
11 conforming to the requirements of s. 8.40 and requesting such submission, signed by
12 electors numbering at least 10% of the votes cast in the county for governor at the
13 last general election. If a petition is filed, the question submitted shall be whether
14 the resolution shall be or shall not be approved. No such resolution of a county board
15 other than those specified in this subsection need be submitted to county electors,
16 except as provided otherwise in sub. (7).

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

1 of s. 8.40 with the town clerk requesting submission of the resolution. Whenever a
2 number of electors cannot be determined on the basis of reported statistics, the
3 number shall be determined in accordance with s. 60.74 (6). If a petition is filed, the
4 question submitted shall be whether the resolution shall or shall not be approved.
5 This paragraph is limited in its scope by sub. (7).

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

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

15 **SECTION 155mf.** 67.05 (6a) (a) 2. a. of the statutes is amended to read:

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

24 **SECTION 155mh.** 67.05 (6m) (b) of the statutes is amended to read:

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.~~

7 **SECTION 155mj.** 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.

12 **SECTION 155mL.** 67.12 (12) (e) 5. of the statutes, as affected by 2001 Wisconsin
13 Act 16, is amended to read:

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

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

24 **11.** Page 153, line 25: after that line insert:

1 “**SECTION 257c.** 81.01 (3) (b) (intro.) of the statutes, as affected by 2001
2 Wisconsin Act 16, is amended to read:

3 81.01 (3) (b) (intro.) The town board, by resolution, submits to the electors of
4 the town as a referendum at ~~a general or special town~~ an election authorized under
5 s. 8.065 the question of exceeding the limit set under this subsection. A copy of the
6 resolution shall be filed as provided in s. 8.37. The board shall abide by the majority
7 vote of the electors of the town on the question. The question shall read as follows:”.

8 **12.** Page 154, line 4: after that line insert:

9 “**SECTION 259d.** 86.21 (2) (a) of the statutes is amended to read:

10 86.21 (2) (a) Before any such toll bridge is constructed or acquired under this
11 section, a resolution authorizing the construction or acquisition thereof, and
12 specifying the method of payment therefor, shall be adopted by a majority of the
13 members of the governing body of such county, town, village or city at a regular
14 meeting, after publication of said resolution, as a class 2 notice, under ch. 985. The
15 resolution shall include a general description of the property it is proposed to acquire
16 or construct. Any county, town, village or city constructing or acquiring a toll bridge
17 under this section may provide for the payment of the same or any part thereof from
18 the general fund, from taxation, or from the proceeds of either municipal bonds,
19 revenue bonds or as otherwise provided by law. Such resolution shall not be effective
20 until 15 days after its passage and publication. If within said 15 days a petition
21 conforming to the requirements of s. 8.40 is filed with the clerk of such municipality,
22 and filed as provided in s. 8.37, signed by at least 20% of the electors thereof
23 requesting that the question of acquiring such toll bridge be submitted to the said
24 electors, such question shall be submitted at ~~any general or regular municipal~~ the

1 next election authorized under s. 8.065 (2) or an election authorized under s. 8.065
2 (3) that is held not sooner than 42 days from the date of filing such petition. In case
3 no such general or regular municipal election is to be held within such stated period,
4 then the governing body of such municipality shall order a special election to be held
5 within 30 days from the filing of such petition upon the question of whether such toll
6 bridge shall be acquired by said municipality. The question submitted to the electors
7 shall specify the method of payment for such toll bridge as provided in the resolution
8 for the acquisition thereof. If no such petition is filed, or if the majority of votes cast
9 at such referendum election are in favor of the acquisition of such toll bridge, then
10 the resolution of the governing body for the acquisition of such toll bridge shall be in
11 effect.”.

12 **13.** Page 159, line 17: after that line insert:

13 “SECTION 280p. 117.20 of the statutes is amended to read:

14 **117.20 Referendum procedures.** (1) If a referendum is required under ss.
15 117.08 to 117.11, it shall be held on the Tuesday after the first Monday in November
16 occurring not sooner than 45 days following receipt of the petition or adoption of the
17 resolution under s. 117.08 (3) (a), 117.09 (3) (a), 117.10 (3) (a) or 117.11 (4) (a). If a
18 referendum is required under s. 117.105, it shall be held on the Tuesday after the first
19 Monday in the 2nd November occurring not sooner than 45 days following receipt of
20 the petition or adoption of the resolution under s. 117.105 (1).

21 (2) The clerk of each affected school district shall publish notice, as required
22 under s. 8.55 10.06 (4), in the territory of that school district. The procedures for
23 school board elections under s. 120.06 (5), (9), (11), (13) and (14) apply to a
24 referendum held under this section. The school board and school district clerk of each

1 affected school district shall each perform, for that school district, the functions
2 assigned to the school board and the school district clerk, respectively, under those
3 subsections. The form of the ballot shall correspond to the form prescribed by the
4 elections board under ss. 5.64 (2) and 7.08 (1) (a). The clerk of each affected school
5 district shall file with the secretary of the board a certified statement prepared by
6 the school district board of canvassers of the results of the referendum in that school
7 district.”.

8 **14.** Page 161, line 11: after that line insert:

9 “**SECTION 284fd.** 119.48 (4) (b) and (c) of the statutes are amended to read:

10 119.48 (4) (b) The communication shall state the purposes for which the funds
11 from the increase in the levy rate will be used and shall request the common council
12 to submit to the voters of the city the question of exceeding the levy rate specified in
13 s. 65.07 (1) (f) at the ~~September election or a special~~ an election authorized under s.
14 8.065.

15 (c) Upon receipt of the communication, the common council shall file the
16 communication as provided in s. 8.37 and shall cause the question of exceeding the
17 levy rate specified under s. 65.07 (1) (f) to be submitted to the voters of the city at the
18 ~~September election or at a special~~ next election authorized under s. 8.065 (2) or an
19 election authorized under s. 8.065 (3) to be held not sooner than 45 days after receipt
20 of the communication. The question of exceeding the levy rate specified under s.
21 65.07 (1) (f) shall be submitted so that the vote upon exceeding the levy rate specified
22 in s. 65.07 (1) (f) is taken separately from any other question submitted to the voters.
23 If a majority of the electors voting on the question favors exceeding the levy rate
24 specified under s. 65.07 (1) (f), the common council shall approve the increase in the

1 levy rate and shall levy and collect a tax equal to the amount of money approved by
2 the electors.

3 **SECTION 284ff.** 119.49 (1) (b) and (2) of the statutes are amended to read:

4 119.49 (1) (b) The communication shall state the amount of funds needed under
5 par. (a) and the purposes for which the funds will be used and shall request the
6 common council to submit to the voters of the city at the next election authorized
7 under s. 8.065 (2) or an election authorized under s. 8.065 (3) to be held in the city
8 not sooner than 45 days after receipt of the communication the question of issuing
9 school bonds in the amount and for the purposes stated in the communication.

10 (2) Upon receipt of the communication, the common council shall file the
11 communication as provided in s. 8.37 and shall cause the question of issuing such
12 school bonds in the stated amount and for the stated school purposes to be submitted
13 to the voters of the city at the next election held in the city authorized under s. 8.065
14 (2) or an election authorized under s. 8.065 (3) that occurs not sooner than 45 days
15 after the date of receipt of the communication. The question of issuing such school
16 bonds shall be submitted so that the vote upon issuing such school bonds is taken
17 separately from any other question submitted to the voters. If a majority of the
18 electors voting on the school bond question favors issuing such school bonds, the
19 common council shall cause the school bonds to be issued immediately or within the
20 period permitted by law, in the amount requested by the board and in the manner
21 other bonds are issued.”.

22 **15.** Page 163, line 25: after that line insert:

23 “**SECTION 288p.** 121.91 (3) (a) of the statutes is amended to read:

1 121.91 (3) (a) If a school board wishes to exceed the limit under sub. (2m)
2 otherwise applicable to the school district in any school year, it shall promptly adopt
3 a resolution supporting inclusion in the final school district budget of an amount
4 equal to the proposed excess revenue. The resolution shall specify whether the
5 proposed excess revenue is for a recurring or nonrecurring purpose, or, if the
6 proposed excess revenue is for both recurring and nonrecurring purposes, the
7 amount of the proposed excess revenue for each purpose. The resolution shall be filed
8 as provided in s. 8.37. Within 10 days after adopting the resolution, the school board
9 shall notify the department of the scheduled date of the referendum and submit a
10 copy of the resolution to the department. The school board shall call a ~~special~~
11 referendum in accordance with s. 8.065 for the purpose of submitting the resolution
12 to the electors of the school district for approval or rejection. ~~In lieu of a special~~
13 ~~referendum, the school board may specify that the referendum be held at the next~~
14 ~~succeeding spring primary or election or September primary or general election, if~~
15 ~~such election is,~~ to be held not sooner than 42 days after the filing of the resolution
16 of the school board. The school district clerk shall certify the results of the
17 referendum to the department within 10 days after the referendum is held.”.

18 **16.** Page 177, line 14: after that line insert:

19 “**SECTION 346td.** 197.04 (1) (b) and (2) of the statutes are amended to read:

20 197.04 (1) (b) If within either of the 90-day periods described in par. (a) a
21 petition conforming to the requirements of s. 8.40 is filed with the clerk of the
22 municipality as provided in s. 8.37 and the petition has been signed by 5% of the
23 electors of a 1st class city or by 10% of the electors of all other municipalities
24 requesting that the question of discontinuing the proceeding to acquire the plant or

1 equipment of the public utility be submitted to the electors of the municipality, the
2 applicable question under par. (c) shall be submitted to the electors at ~~any general~~
3 ~~or regular municipal~~ the succeeding election authorized under s. 8.065 (2) or an
4 election authorized under s. 8.065 (3) that is held not less than 42 and not more than
5 47 days from the date of the filing of the petition. ~~If no general election or regular~~
6 ~~municipal election is to be held within the stated periods, the governing body of the~~
7 ~~municipality shall order the holding of a special election, to be held not less than 42~~
8 ~~days from the date of filing of the petition, for the purpose of submitting the question~~
9 ~~to the electors.~~

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

20 **SECTION 346tf.** 197.10 (2) of the statutes is amended to read:

21 197.10 (2) Such contract when adopted by the common council of said city and
22 accepted by the owner or owners of such public utility shall be submitted to the public
23 service commission for its approval and upon such approval the same shall be filed
24 as provided in s. 8.37 and submitted in such manner as the common council shall
25 determine to a vote of the electors of such city at the next ~~regular municipal~~ election

1 ~~or at a special election called for that purpose~~ authorized under s. 8.065 (2) or an
2 election authorized under s. 8.065 (3) to be held not sooner than 45 days after
3 approval of the commission, and such contract shall not become binding upon such
4 city until approved by a majority vote of the qualified electors of such city voting
5 thereon. No bonds shall in any case be issued by said city under the contract or
6 contracts mentioned in sub. (1), until the proposition of their issue shall have been
7 submitted to the people of such city and adopted by a majority of the electors voting
8 thereon.

9 **SECTION 346th.** 198.19 (1) of the statutes is amended to read:

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



State of Wisconsin
2001 - 2002 LEGISLATURE

January 2002 Special Session

LRBb2474/2
RJM&JTK:kg:rs

LFB:.....Onsager – Scheduling of local government referenda

FOR 2001-03 BUDGET — NOT READY FOR INTRODUCTION

ASSEMBLY AMENDMENT ,

TO ASSEMBLY SUBSTITUTE AMENDMENT 1,

TO ASSEMBLY BILL 1

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

2 1. Page 3, line 12: after that line insert:

3 "SECTION 1g. 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 1j.** 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 to be held in the town or at a special election called for the purpose. When
8 a petition requesting adoption of the nonpartisan primary conforming to the
9 requirements of s. 8.40 signed by at least 20 electors of the town is filed with the town
10 clerk as provided in s. 8.37, the question shall be submitted to a vote.

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

16 **SECTION 1L.** 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 1n.** 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 on the date of the spring primary, spring
2 election, September primary, or general election, or on the 2nd Tuesday in September
3 or the first Tuesday after the first Monday in November of an odd-numbered year.

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 2nd Tuesday in September or the first Tuesday after the first
7 Monday in November of an odd-numbered year, the local governmental unit may
8 petition the referendum appeal board for a determination that an emergency exists
9 with respect to a particular question. The referendum appeal board shall make a
10 determination within 10 days after receipt of a petition under this subsection. If the
11 referendum appeal board finds, with the concurrence of at least 4 members, that an
12 emergency exists which requires a special referendum to be held by a local
13 governmental unit on a date that is not concurrent with an election specified in s.
14 5.02 (5), (18), (21), or (22) or on a date other than the 2nd Tuesday in September or
15 the first Tuesday after the first Monday in November of an odd-numbered year, the
16 board may permit a referendum relating to the question specified in the petition to
17 be held on a date determined by the local governmental unit.

18 **SECTION 1p.** 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

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.”.~~

6 **2.** Page 10, line 8: after that line insert:

7 “SECTION 14k. 15.615 of the statutes is created to read:

8 **15.615 Same; attached boards.**

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

14 **3.** Page 28, line 8: after that line insert:

15 “SECTION 73m. 24.66 (3) (b) of the statutes is amended to read:

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

23 **SECTION 73p.** 24.66 (4) of the statutes is amended to read:

1 24.66 (4) POPULAR VOTE, WHEN REQUIRED. If any municipality is not empowered
2 by law to incur indebtedness for a particular purpose without first submitting the
3 question to its electors, the application for a state trust fund loan for that purpose
4 must be approved and authorized by a majority vote of the electors at a ~~special~~
5 ~~election~~ referendum called, in accordance with s. 8.065, and noticed and held in the
6 manner provided for other ~~special elections~~ referenda. The question to be voted on
7 shall be filed as provided in s. 8.37. The notice of the ~~election~~ referendum shall state
8 the amount of the proposed loan and the purpose for which it will be used.”.

9 **4.** Page 31, line 8: after that line insert:

10 “**SECTION 92m.** 32.72 (1) of the statutes is amended to read:

11 32.72 (1) Sections 32.50 to 32.71 do not take effect in any city until the following
12 question is submitted to the electors of the city at a ~~special election~~ referendum called
13 in accordance with s. 8.065 and adopted by a majority vote of the electors voting:
14 “Shall subchapter II of chapter 32, Wisconsin Statutes, be effective in the city of
15, thus allowing the city to acquire and condemn property for street
16 widening and similar purposes, financed through assessments of benefits and
17 damages?”. The question shall be filed as provided in s. 8.37.”.

18 **5.** Page 32, line 2: after that line insert:

19 “**SECTION 97m.** 38.15 (1) of the statutes, as affected by 2001 Wisconsin Act 16,
20 is amended to read:

21 38.15 (1) Subject to sub. (3), if the district board intends to make a capital
22 expenditure in excess of \$1,000,000, excluding moneys received from gifts, grants or
23 federal funds, for the acquisition of sites, purchase or construction of buildings, the
24 lease/purchase of buildings if costs exceed \$1,000,000 for the lifetime of the lease,

1 building additions or enlargements or the purchase of fixed equipment relating to
2 any such activity, it shall adopt a resolution stating its intention to do so and
3 identifying the anticipated source of revenue for each project and shall submit the
4 resolution to the electors of the district for approval. The referendum may be held
5 at any election authorized under s. 8.065 and shall be noticed, called and conducted
6 as provided in s. 67.05 (3) insofar as applicable. For the purposes of this section, all
7 projects located on a single campus site within one district which are bid
8 concurrently or which are approved by the board under s. 38.04 (10) within a 2-year
9 period shall be considered as one capital expenditure project.”.

10 **6.** Page 48, line 10: after that line insert:

11 “**SECTION 150kd.** 59.08 (7) (b) of the statutes is amended to read:

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

23 **SECTION 150kf.** 59.605 (3) (a) 1. of the statutes is amended to read:

1 59.605 (3) (a) 1. If the governing body of a county wishes to exceed the operating
2 levy rate limit otherwise applicable to the county under this section, it shall adopt
3 a resolution to that effect. The resolution shall specify either the operating levy rate
4 or the operating levy that the governing body wishes to impose for either a specified
5 number of years or an indefinite period. The governing body shall ~~call a special~~
6 ~~referendum for the purpose of submitting the resolution to the electors of the county~~
7 ~~for approval or rejection. In lieu of a special referendum, the governing body may~~
8 ~~specify that~~ provide for the referendum to be held at the next succeeding spring
9 ~~primary or election or September primary or general election to be held~~ authorized
10 under s. 8.065 (2) or an election authorized under s. 8.065 (3) that occurs not earlier
11 than 42 days after the adoption of the resolution of the governing body. The
12 governing body shall file the resolution to be submitted to the electors as provided
13 in s. 8.37.

14 **SECTION 150kh.** 60.62 (2) of the statutes is amended to read:

15 60.62 (2) If the county in which the town is located has enacted a zoning
16 ordinance under s. 59.69, the exercise of the authority under sub. (1) is subject to
17 approval by the town meeting or by a referendum vote of the electors of the town to
18 be held at the time of any regular or special election in accordance with s. 8.065. The
19 question for the referendum vote shall be filed as provided in s. 8.37.

20 **SECTION 150kj.** 60.74 (5) (b) of the statutes is amended to read:

21 60.74 (5) (b) A petition conforming to the requirements of s. 8.40 signed by
22 qualified electors of the district equal to at least 20% of the vote cast for governor in
23 the district at the last gubernatorial election, requesting a change to appointment
24 of commissioners, may be submitted to the town board, subject to sub. (5m) (a). The
25 petition shall be filed as provided in s. 8.37. Upon receipt of the petition, the town

1 board shall submit the question to a referendum at the next ~~regular spring~~ election
2 ~~or general election, or shall call a special election for that purpose~~ authorized under
3 s. 8.065 (2) or an election authorized under s. 8.065 (3) to be held not sooner than 45
4 days after receipt of the petition by the town board. The inspectors shall count the
5 votes and submit a statement of the results to the commission. The commission shall
6 canvass the results of the election and certify the results to the town board which has
7 authority to appoint commissioners.

8 **SECTION 150kL.** 61.187 (1) of the statutes is amended to read:

9 61.187 (1) PROCEDURE. Whenever a petition conforming to the requirements
10 of s. 8.40, signed by at least one-third as many electors of any village as voted for
11 village officers at the next preceding election therefor, shall be presented to the
12 village board, and filed as provided in s. 8.37, praying for dissolution of the village
13 corporation, such board shall submit to the electors of such village, for determination
14 by ballot in substantially the manner provided by ss. 5.64 (2) and 10.02, at ~~a general~~
15 ~~election or at a special election called by them for that purpose~~ the next election
16 authorized under s. 8.065 (2) or an election authorized under s. 8.065 (3) to be held
17 not sooner than 45 days after presentation of the petition, the question whether or
18 not such village corporation shall be dissolved.

19 **SECTION 150kn.** 61.46 (1) of the statutes is amended to read:

20 61.46 (1) GENERAL; LIMITATION. The village board shall, on or before December
21 15 in each year, by resolution to be entered of record, determine the amount of
22 corporation taxes to be levied and assessed on the taxable property in such village
23 for the current year. Before levying any tax for any specified purpose, exceeding one
24 percent of the assessed valuation aforesaid, the village board shall, and in all other
25 cases may in its discretion, submit the question of levying the same to the village

1 electors at ~~any general or special~~ the next election authorized under s. 8.065 (2) or
2 an election authorized under s. 8.065 (3) to be held no sooner than 45 days after
3 adoption of the resolution by giving 10 days' notice thereof prior to such election by
4 publication in a newspaper published in the village, if any, and if there is none, then
5 by posting notices in 3 public places in said village, setting forth in such notices the
6 object and purposes for which such taxes are to be raised and the amount of the
7 proposed tax. The village board shall file the question as provided in s. 8.37.

8 **SECTION 150kp.** 62.09 (1) (a) of the statutes is amended to read:

9 62.09 (1) (a) The officers shall be a mayor, treasurer, clerk, comptroller,
10 attorney, engineer, one or more assessors unless the city is assessed by a county
11 assessor under s. 70.99, one or more constables as determined by the common
12 council, a local health officer, as defined in s. 250.01 (5), or local board of health, as
13 defined in s. 250.01 (3), street commissioner, board of police and fire commissioners
14 except in cities where not applicable, chief of police, chief of the fire department,
15 board of public works, 2 alderpersons from each aldermanic district, and such other
16 officers or boards as are created by law or by the council. If one alderperson from each
17 aldermanic district is provided under s. 66.0211 (1), the council may, by ordinance
18 adopted by a two-thirds vote of all its members and approved by the electors at a
19 ~~general or special~~ any election authorized under s. 8.065, provide that there shall be
20 2 alderpersons from each aldermanic district.

21 **SECTION 150kr.** 64.03 (1) of the statutes is amended to read:

22 64.03 (1) Every ordinance or resolution for the adoption of ss. 64.01 to 64.15,
23 and every petition for a ~~special election~~ referendum on the same, shall state the
24 number of members of which the council herein provided for shall be composed, the
25 term of office of its members, which term shall not exceed 2 years, whether they shall

1 be nominated and elected from aldermanic districts or from the city at large, and the
2 compensation, if any, which they shall receive.

3 **SECTION 150kt.** 64.39 (3) of the statutes is amended to read:

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

10 **SECTION 150kv.** 66.0101 (8) of the statutes is amended to read:

11 66.0101 (8) A charter ordinance enacted or approved by a vote of the electors
12 controls over any prior or subsequent act of the legislative body of the city or village.
13 If the electors of any city or village by a majority vote have adopted or determined
14 to continue to operate under either ch. 62 or 64, or have determined the method of
15 selection of members of the governing board, the question shall not again be
16 submitted to the electors, nor action taken on the question, within a period of 2 years.
17 Any election to change or amend the charter of any city or village, other than ~~a~~
18 ~~special~~ an election as provided in called under s. 9.20 (4), shall be held at the time
19 provided by statute for holding the spring election.”.

20 **7.** Page 49, line 18: after that line insert:

21 **“SECTION 151md.** 66.0217 (7) (a) 3. of the statutes is amended to read:

22 66.0217 (7) (a) 3. If the notice indicates that the petition is for a referendum
23 on the question of annexation, the clerk of the city or village shall file the notice as
24 provided in s. 8.37. If the notice indicates that the petition is for a referendum on the

1 question of annexation, the town clerk shall give notice as provided in par. (c) of a
2 referendum of the electors residing in the area proposed for annexation to be held at
3 the next election permitted under s. 8.065 (2) or an election authorized under s. 8.065
4 (3), but not less than 42 days nor more than 72 days after the date of personal service
5 or mailing of the notice required under this paragraph. If the notice indicates that
6 the petition is for direct annexation, no referendum shall be held unless within 30
7 days after the date of personal service or mailing of the notice required under this
8 paragraph, a petition conforming to the requirements of s. 8.40 requesting a
9 referendum is filed with the town clerk as provided in s. 8.37, signed by at least 20%
10 of the electors residing in the area proposed to be annexed. If a petition requesting
11 a referendum is filed, the clerk shall give notice as provided in par. (c) of a referendum
12 of the electors residing in the area proposed for annexation to be held at the next
13 election permitted under s. 8.065 (2) or an election authorized under s. 8.065 (3), but
14 not less than 42 days nor more than 72 days after the receipt of the petition and shall
15 mail a copy of the notice to the clerk of the city or village to which the annexation is
16 proposed. The referendum shall be held at a convenient place within the town to be
17 specified in the notice.

18 **SECTION 151mf.** 66.0219 (4) (b) of the statutes is amended to read:

19 66.0219 (4) (b) The referendum election shall be held at the next election
20 permitted under s. 8.065 (2) or an election authorized under s. 8.065 (3), but not less
21 than 42 days nor more than 72 days after the filing of the order as provided in s. 8.37,
22 in the territory proposed for annexation, by the electors of that territory as provided
23 in s. 66.0217 (7), so far as applicable. The ballots shall contain the words “For
24 Annexation” and “Against Annexation”. The certification of the election inspectors

1 shall be filed with the clerk of the court, and the clerk of any municipality involved,
2 but need not be filed or recorded with the register of deeds.

3 **SECTION 151mh.** 66.0227 (3) of the statutes is amended to read:

4 66.0227 (3) The governing body of a city, village or town involved may, or if a
5 petition conforming to the requirements of s. 8.40 signed by a number of qualified
6 electors equal to at least 5% of the votes cast for governor in the city, village or town
7 at the last gubernatorial election, demanding a referendum, is presented to it within
8 30 days after the passage of either of the ordinances under sub. (2) shall, submit the
9 question to the electors of the city, village or town whose electors petitioned for
10 detachment, at a referendum election ~~called for that purpose~~ held at the next election
11 permitted under s. 8.065 (2) or an election authorized under s. 8.065 (3), but not less
12 than 42 days ~~nor more than 72 days~~ after the filing of the petition, or after the
13 enactment of either ordinance. The petition shall be filed as provided in s. 8.37. If
14 a number of electors cannot be determined on the basis of reported election statistics,
15 the number shall be determined in accordance with s. 60.74 (6). The governing body
16 of the municipality shall appoint 3 election inspectors who are resident electors to
17 supervise the referendum. The ballots shall contain the words “For Detachment”
18 and “Against Detachment”. The inspectors shall certify the results of the election by
19 their attached affidavits and file a copy with the clerk of each town, village or city
20 involved, and none of the ordinances may take effect nor be in force unless a majority
21 of the electors approve the question. The referendum election shall be conducted in
22 accordance with chs. 6 and 7 to the extent applicable.”.

23 **8.** Page 51, line 9: delete the material beginning with “special” and ending
24 with “held” on line 13 and substitute “referendum on approval or rejection to be held

1 at the next election permitted under s. 8.065 (2) or an election authorized under s.
2 8.065 (3) occurring”.

3 **9.** Page 53, line 4: after that line insert:

4 **“SECTION 153kd.** 66.0619 (2m) (b) of the statutes is amended to read:

5 66.0619 (2m) (b) If a referendum is to be held on a resolution, the municipal
6 governing body shall file the resolution as provided in s. 8.37 and shall direct the
7 municipal clerk to ~~call a special election for the purpose of submitting~~ submit the
8 resolution to the electors for approval of the electors at a referendum on approval or
9 rejection. ~~In lieu of a special election, the municipal governing body may specify that~~
10 ~~the election be held at the next succeeding spring primary or election or September~~
11 ~~primary or general election~~ called in accordance with s. 8.065.

12 **SECTION 153kf.** 66.0815 (1) (c) of the statutes, as affected by 2001 Wisconsin
13 Act 30, is amended to read:

14 66.0815 (1) (c) An ordinance under sub. (1) may not take effect until 60 days
15 after passage and publication unless sooner approved by a referendum. Within the
16 60-day period electors equal in number to 20% of those voting at the last regular
17 municipal election may file a petition requesting a referendum. The petition shall
18 be in writing and filed with the clerk ~~and~~ as provided in s. 8.37. The petition shall
19 conform to the requirements of s. 8.40. Each signer shall state his or her residence
20 and signatures shall be verified by the affidavit of an elector. The referendum shall
21 be held at the next ~~regular municipal election, or at a special election within 90 days~~
22 ~~of the~~ permitted under s. 8.065 (2) or an election authorized under s. 8.065 (3) to be
23 held not sooner than 45 days after filing of the petition. The ordinance may not take

1 effect unless approved by a majority of the votes cast. This paragraph does not apply
2 to extensions by a utility previously franchised by the village, city, or town.

3 **SECTION 153kj.** 66.0921 (2) of the statutes is amended to read:

4 66.0921 (2) FACILITIES AUTHORIZED. A municipality may enter into a joint
5 contract with a nonprofit corporation organized for civic purposes and located in the
6 municipality to construct or otherwise acquire, equip, furnish, operate and maintain
7 a facility to be used for municipal and civic activities if a majority of the voters voting
8 in a referendum ~~at a special election or at a spring primary or election or September~~
9 ~~primary or general~~ authorize the municipality to enter into a joint contract. The
10 referendum shall be held at an election ~~approve the question of entering into the joint~~
11 ~~contract~~ authorized under s. 8.065.

12 **SECTION 153kL.** 66.1103 (10) (d) of the statutes is amended to read:

13 66.1103 (10) (d) The governing body may issue bonds under this section
14 without submitting the proposition to the electors of the municipality for approval
15 unless within 30 days from the date of publication of notice of adoption of the initial
16 resolution for the bonds, a petition conforming to the requirements of s. 8.40, and
17 signed by a number of electors of the municipality equal to not less than 5% of the
18 registered electors of the municipality, or, if there is no registration of electors in the
19 municipality, by 10% of the number of electors of the municipality voting for the office
20 of governor at the last general election as determined under s. 115.01 (13), is filed
21 with the clerk of the municipality and as provided in s. 8.37 requesting a referendum
22 upon the question of the issuance of the bonds. If a petition is filed, the bonds may
23 not be issued until approved by a majority of the electors of the municipality voting
24 on the referendum at a ~~general or special election~~ referendum called in accordance
25 with s. 8.065.”.

1 **10.** Page 53, line 16: after that line insert:

2 “**SECTION 155md.** 67.05 (4) and (5) of the statutes are amended to read:

3 67.05 (4) PERMISSIVE REFERENDUM IN COUNTIES. If a county board adopts an
4 initial resolution for an issue of county bonds to provide for the original construction
5 or for the improvement and maintenance of highways, to provide railroad aid, or to
6 construct, acquire or maintain, or to aid in constructing, acquiring or maintaining
7 a bridge over or across any stream or other body of water bordering upon or
8 intersecting any part of the county, the county clerk is not required to submit the
9 resolution for approval to the electors of the county at a ~~special election~~ referendum
10 unless within 30 days after the adoption thereof there is filed with the clerk a petition
11 conforming to the requirements of s. 8.40 and requesting such submission, signed by
12 electors numbering at least 10% of the votes cast in the county for governor at the
13 last general election. If a petition is filed, the question submitted shall be whether
14 the resolution shall be or shall not be approved. No such resolution of a county board
15 other than those specified in this subsection need be submitted to county electors,
16 except as provided otherwise in sub. (7).

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

1 of s. 8.40 with the town clerk requesting submission of the resolution. Whenever a
2 number of electors cannot be determined on the basis of reported statistics, the
3 number shall be determined in accordance with s. 60.74 (6). If a petition is filed, the
4 question submitted shall be whether the resolution shall or shall not be approved.
5 This paragraph is limited in its scope by sub. (7).

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

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

15 **SECTION 155mf.** 67.05 (6a) (a) 2. a. of the statutes is amended to read:

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

24 **SECTION 155mh.** 67.05 (6m) (b) of the statutes is amended to read:

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.~~

7 **SECTION 155mj.** 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.

12 **SECTION 155mL.** 67.12 (12) (e) 5. of the statutes, as affected by 2001 Wisconsin
13 Act 16, is amended to read:

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

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

24 **11.** Page 153, line 25: after that line insert:

1 **“SECTION 257c.** 81.01 (3) (b) (intro.) of the statutes, as affected by 2001
2 Wisconsin Act 16, is amended to read:

3 81.01 (3) (b) (intro.) The town board, by resolution, submits to the electors of
4 the town as a referendum at ~~a general or special town~~ an election authorized under
5 s. 8.065 the question of exceeding the limit set under this subsection. A copy of the
6 resolution shall be filed as provided in s. 8.37. The board shall abide by the majority
7 vote of the electors of the town on the question. The question shall read as follows:”.

8 **12.** Page 154, line 4: after that line insert:

9 **“SECTION 259d.** 86.21 (2) (a) of the statutes is amended to read:

10 86.21 (2) (a) Before any such toll bridge is constructed or acquired under this
11 section, a resolution authorizing the construction or acquisition thereof, and
12 specifying the method of payment therefor, shall be adopted by a majority of the
13 members of the governing body of such county, town, village or city at a regular
14 meeting, after publication of said resolution, as a class 2 notice, under ch. 985. The
15 resolution shall include a general description of the property it is proposed to acquire
16 or construct. Any county, town, village or city constructing or acquiring a toll bridge
17 under this section may provide for the payment of the same or any part thereof from
18 the general fund, from taxation, or from the proceeds of either municipal bonds,
19 revenue bonds or as otherwise provided by law. Such resolution shall not be effective
20 until 15 days after its passage and publication. If within said 15 days a petition
21 conforming to the requirements of s. 8.40 is filed with the clerk of such municipality,
22 and filed as provided in s. 8.37, signed by at least 20% of the electors thereof
23 requesting that the question of acquiring such toll bridge be submitted to the said
24 electors, such question shall be submitted at ~~any general or regular municipal~~ the

1 next election authorized under s. 8.065 (2) or an election authorized under s. 8.065
2 (3) that is held not sooner than 42 days from the date of filing such petition. In case
3 no such general or regular municipal election is to be held within such stated period,
4 then the governing body of such municipality shall order a special election to be held
5 within 30 days from the filing of such petition upon the question of whether such toll
6 bridge shall be acquired by said municipality. The question submitted to the electors
7 shall specify the method of payment for such toll bridge as provided in the resolution
8 for the acquisition thereof. If no such petition is filed, or if the majority of votes cast
9 at such referendum election are in favor of the acquisition of such toll bridge, then
10 the resolution of the governing body for the acquisition of such toll bridge shall be in
11 effect.”.

12 **13.** Page 159, line 17: after that line insert:

13 “SECTION 280p. 117.20 of the statutes is amended to read:

14 **117.20 Referendum procedures.** (1) If a referendum is required under ss.
15 117.08 to 117.11, it shall be held on the Tuesday after the first Monday in November
16 occurring not sooner than 45 days following receipt of the petition or adoption of the
17 resolution under s. 117.08 (3) (a), 117.09 (3) (a), 117.10 (3) (a) or 117.11 (4) (a). If a
18 referendum is required under s. 117.105, it shall be held on the Tuesday after the first
19 Monday in the 2nd November occurring not sooner than 45 days following receipt of
20 the petition or adoption of the resolution under s. 117.105 (1).

21 (2) The clerk of each affected school district shall publish notice, as required
22 under s. 8.55 10.06 (4), in the territory of that school district. The procedures for
23 school board elections under s. 120.06 (5), (9), (11), (13) and (14) apply to a
24 referendum held under this section. The school board and school district clerk of each

1 affected school district shall each perform, for that school district, the functions
2 assigned to the school board and the school district clerk, respectively, under those
3 subsections. The form of the ballot shall correspond to the form prescribed by the
4 elections board under ss. 5.64 (2) and 7.08 (1) (a). The clerk of each affected school
5 district shall file with the secretary of the board a certified statement prepared by
6 the school district board of canvassers of the results of the referendum in that school
7 district.”.

8 **14.** Page 161, line 11: after that line insert:

9 “**SECTION 284fd.** 119.48 (4) (b) and (c) of the statutes are amended to read:

10 119.48 (4) (b) The communication shall state the purposes for which the funds
11 from the increase in the levy rate will be used and shall request the common council
12 to submit to the voters of the city the question of exceeding the levy rate specified in
13 s. 65.07 (1) (f) at ~~the September election or a special~~ an election authorized under s.
14 8.065.

15 (c) Upon receipt of the communication, the common council shall file the
16 communication as provided in s. 8.37 and shall cause the question of exceeding the
17 levy rate specified under s. 65.07 (1) (f) to be submitted to the voters of the city at the
18 ~~September election or at a special~~ next election authorized under s. 8.065 (2) or an
19 election authorized under s. 8.065 (3) to be held not sooner than 45 days after receipt
20 of the communication. The question of exceeding the levy rate specified under s.
21 65.07 (1) (f) shall be submitted so that the vote upon exceeding the levy rate specified
22 in s. 65.07 (1) (f) is taken separately from any other question submitted to the voters.
23 If a majority of the electors voting on the question favors exceeding the levy rate
24 specified under s. 65.07 (1) (f), the common council shall approve the increase in the

1 levy rate and shall levy and collect a tax equal to the amount of money approved by
2 the electors.

3 **SECTION 284ff.** 119.49 (1) (b) and (2) of the statutes are amended to read:

4 119.49 (1) (b) The communication shall state the amount of funds needed under
5 par. (a) and the purposes for which the funds will be used and shall request the
6 common council to submit to the voters of the city at the next election authorized
7 under s. 8.065 (2) or an election authorized under s. 8.065 (3) to be held in the city
8 not sooner than 45 days after receipt of the communication the question of issuing
9 school bonds in the amount and for the purposes stated in the communication.

10 (2) Upon receipt of the communication, the common council shall file the
11 communication as provided in s. 8.37 and shall cause the question of issuing such
12 school bonds in the stated amount and for the stated school purposes to be submitted
13 to the voters of the city at the next election held in the city authorized under s. 8.065
14 (2) or an election authorized under s. 8.065 (3) that occurs not sooner than 45 days
15 after the date of receipt of the communication. The question of issuing such school
16 bonds shall be submitted so that the vote upon issuing such school bonds is taken
17 separately from any other question submitted to the voters. If a majority of the
18 electors voting on the school bond question favors issuing such school bonds, the
19 common council shall cause the school bonds to be issued immediately or within the
20 period permitted by law, in the amount requested by the board and in the manner
21 other bonds are issued.”

22 **15.** Page 163, line 25: after that line insert:

23 “SECTION 288p. 121.91 (3) (a) of the statutes is amended to read:

1 121.91 (3) (a) If a school board wishes to exceed the limit under sub. (2m)
2 otherwise applicable to the school district in any school year, it shall promptly adopt
3 a resolution supporting inclusion in the final school district budget of an amount
4 equal to the proposed excess revenue. The resolution shall specify whether the
5 proposed excess revenue is for a recurring or nonrecurring purpose, or, if the
6 proposed excess revenue is for both recurring and nonrecurring purposes, the
7 amount of the proposed excess revenue for each purpose. The resolution shall be filed
8 as provided in s. 8.37. Within 10 days after adopting the resolution, the school board
9 shall notify the department of the scheduled date of the referendum and submit a
10 copy of the resolution to the department. The school board shall call a ~~special~~
11 referendum in accordance with s. 8.065 for the purpose of submitting the resolution
12 to the electors of the school district for approval or rejection. ~~In lieu of a special~~
13 ~~referendum, the school board may specify that the referendum be held at the next~~
14 ~~succeeding spring primary or election or September primary or general election, if~~
15 ~~such election is,~~ to be held not sooner than 42 days after the filing of the resolution
16 of the school board. The school district clerk shall certify the results of the
17 referendum to the department within 10 days after the referendum is held.”.

18 **16.** Page 177, line 14: after that line insert:

19 “**SECTION 346td.** 197.04 (1) (b) and (2) of the statutes are amended to read:

20 197.04 (1) (b) If within either of the 90-day periods described in par. (a) a
21 petition conforming to the requirements of s. 8.40 is filed with the clerk of the
22 municipality as provided in s. 8.37 and the petition has been signed by 5% of the
23 electors of a 1st class city or by 10% of the electors of all other municipalities
24 requesting that the question of discontinuing the proceeding to acquire the plant or

1 equipment of the public utility be submitted to the electors of the municipality, the
2 applicable question under par. (c) shall be submitted to the electors at ~~any general~~
3 ~~or regular municipal~~ the succeeding election authorized under s. 8.065 (2) or an
4 election authorized under s. 8.065 (3) that is held not less than 42 and not more than
5 47 days from the date of the filing of the petition. ~~If no general election or regular~~
6 ~~municipal election is to be held within the stated periods, the governing body of the~~
7 ~~municipality shall order the holding of a special election, to be held not less than 42~~
8 ~~days from the date of filing of the petition, for the purpose of submitting the question~~
9 ~~to the electors.~~

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

20 **SECTION 346tf.** 197.10 (2) of the statutes is amended to read:

21 197.10 (2) Such contract when adopted by the common council of said city and
22 accepted by the owner or owners of such public utility shall be submitted to the public
23 service commission for its approval and upon such approval the same shall be filed
24 as provided in s. 8.37 and submitted in such manner as the common council shall
25 determine to a vote of the electors of such city at the next ~~regular municipal~~ election

1 ~~or at a special election called for that purpose authorized under s. 8.065 (2) or an~~
2 ~~election authorized under s. 8.065 (3) to be held not sooner than 45 days after~~
3 ~~approval of the commission,~~ and such contract shall not become binding upon such
4 city until approved by a majority vote of the qualified electors of such city voting
5 thereon. No bonds shall in any case be issued by said city under the contract or
6 contracts mentioned in sub. (1), until the proposition of their issue shall have been
7 submitted to the people of such city and adopted by a majority of the electors voting
8 thereon.

9 **SECTION 346th.** 198.19 (1) of the statutes is amended to read:

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

1 **17.** Page 435, line 9: after that line insert:

2 “(1zo) SCHEDULING LOCAL GOVERNMENT REFERENDA. The treatment of sections
3 7.15 (2) (d), 8.05 (3) (d) and (e), 8.06, 8.065, 9.20 (4), 15.615, 24.66 (3) (b) and (4), 32.72
4 (1), 38.15 (1), 59.08 (7) (b), 59.605 (3) (a) 1., 60.62 (2), 60.74 (5) (b), 61.187 (1), 61.46
5 (1), 62.09 (1) (a), 64.03 (1), 64.39 (3), 66.0101 (8), 66.0217 (7) (a) 3., 66.0219 (4) (b),
6 66.0227 (3), 66.0602 (3) (a) 1. (with respect to scheduling of referenda), 66.0619 (2m)
7 (b), 66.0815 (1) (c), 66.0921 (2), 66.1103 (10) (d), 67.05 (4), (5), (6a) (a) 2. a., and (6m)
8 (b), 67.10 (5) (b), 67.12 (12) (e) 5., 81.01 (3) (b) (intro.), 86.21 (2) (a), 117.20, 119.48 (4)
9 (b) and (c), 119.49 (1) (b) and (2), 121.91 (3) (a), 197.04 (1) (b) and (2), 197.10 (2), and
10 198.19 (1) of the statutes first applies with respect to referenda called on the effective
11 date of this subsection.”.

12

(END)