

2005-06 SESSION

COMMITTEE HEARING RECORDS

Assembly Committee on Campaigns & Elections (AC-CE)

Sample:

Record of Comm. Proceedings ... RCP

- 05hrAC-EdR_RCP_pt01a
- 05hrAC-EdR_RCP_pt01b
- 05hrAC-EdR_RCP_pt02

➤ Appointments ... Appt

➤ **

➤ Clearinghouse Rules ... CRule

➤ **

➤ Committee Hearings ... CH

➤ **

➤ Committee Reports ... CR

➤ **

➤ Executive Sessions ... ES

➤ **

➤ Hearing Records ... HR

➤ 05hr_sb0171_AC-CE_pt01

➤ Miscellaneous ... Misc

➤ **

➤ Record of Comm. Proceedings ... RCP

➤ **

Vote Record

Committee on Campaigns and Elections

Date: 6/19/05
Bill Number: SB 171
Moved by: V Seconded by: G
Motion: Passage

<u>Committee Member</u>	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Not Voting</u>
Representative Stephen Freese, Chair	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Mark Gundrum	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Jeffrey Wood	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Robin Vos	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative David Travis	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Representative Frederick Kessler	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Totals:	<u>5</u>	<u>1</u>	<u> </u>	<u> </u>

Motion Carried Motion Failed



WISCONSIN LEGISLATIVE COUNCIL
AMENDMENT MEMO

2005 Senate Bill 171

Senate Amendment 1

Memo published: April 29, 2005

Contact: Nick Zavos, Staff Attorney (266-1308)

CURRENT LAW

Under current law, with certain exceptions, if a school board wishes to borrow money or exceed the revenue limit otherwise applicable to the school district, it must obtain the approval of the school district's electors at a referendum. A referendum authorizing borrowing may be held at a special election called for that purpose or at the next regularly scheduled primary or election held not earlier than 45 days after adopting the borrowing resolution. Similarly, a referendum to exceed the district's revenue limit may be held at a special election or at the next succeeding spring primary or election or September primary or election held not earlier than 42 days after the resolution to exceed the limit is filed.

THE BILL

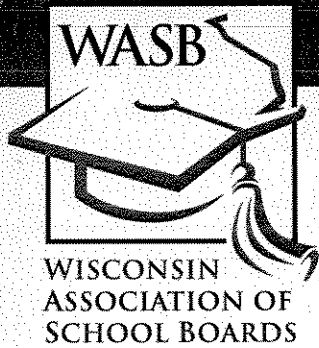
Senate Bill 171 prohibits a school board from calling a special election for either purpose described above. Thus, a referenda to allow the district to borrow or to exceed the district's revenue limit would have to be held at a regularly scheduled election or primary. Currently, regularly scheduled elections and primaries occur every year on the third Tuesday in February and first Tuesday in April, and in even-numbered years on the second Tuesday in September and first Tuesday after first Monday in November.

SENATE AMENDMENT 1

Senate Amendment 1 to Senate Bill 171 would allow a special election to be called in odd-numbered years on the second Tuesday in September and first Tuesday after the first Monday in November. Thus, every year there would be four possible dates for a referendum to be considered.

On April 27, 2005, Senate Amendment 1 to Senate Bill 171 was introduced and recommended for adoption by the Senate Committee on Labor and Election Process Reform on a vote of Ayes, 5; Noes, 0.

NZ:wu



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KEN COLE, EXECUTIVE DIRECTOR

TO: Members of the Assembly Committee on Campaigns and Elections

FROM: Pam Rewey, Sheri Krause and Jeff Pertl
 Legislative Services

DATE: May 26, 2005

RE: Senate Bill 171

The Wisconsin Association of School Boards (WASB) opposes Senate Bill 171, which limits the scheduling of referenda by school districts to regularly scheduled election dates.

- SB 171 is contrary to the principle of local control. Revenue limits were put into place with the condition that local voters could approve additional funding for their schools, should it become necessary. Locally elected school boards, which are already subject to the strictest referendum requirements of any local unit of government, need the ability to set the referendum dates according to what is in the best interest of their communities.
- Supporters of SB 171 have argued school boards intentionally schedule referenda for special elections in hopes that lower turnout will give pro-school advocacy groups an advantage. However, the data indicates that referenda are actually less likely to pass during a special election. Special elections are a logistical necessity and not politically advantageous.

Statewide Referenda Results since January 1, 2003			
	All Referenda	Regularly Scheduled	Special Election*
Passed	111 (42%)	90 (43%)	21 (38%)
Failed	153 (58%)	119 (57%)	34 (62%)
Total	264	219	55

**Includes fall elections in odd years.*

From DPI: information available at https://www2.dpi.state.wi.us/safr/all_referenda.asp

- SB 171 would undermine the democratic process. Most referenda are already held on regularly scheduled election dates. However, school boards have, at times, chosen to hold referenda on other dates to address specific circumstances or respond to community demands.

For instance, one school board held a referendum this past April on the regular general election date to increase its operating budget. The referendum failed, and the board began discussing subsequent budget cuts for the 2005-06 school year. The board was then presented with a petition signed by over 4,300 community members asking for a second referendum in June in an effort to mitigate the potential cuts. The board agreed and has scheduled a second, smaller referendum for next month. If the board were required to wait until the next regular election date in September, it would be too late. The school year would be underway, the cuts made and teachers gone.

- SB 171 fails to recognize school district budgeting cycles. The regularly scheduled election dates were chosen for the purpose of electing partisan and nonpartisan officeholders. They were not selected with school district budgeting cycles in mind. If a board holds a referendum on a primary election date and it fails, it is very difficult to meet the deadlines to hold a second referendum on the subsequent general election date. Thus, under SB 171, if a board holds a referendum on the February primary date and it fails, in all likelihood there would be no further chance to go to the voters before the start of the next school year.
- SB 171 could result in greater costs for taxpayers. The longer it takes for a school board to reach a consensus with its community and pass a building referendum, the more it will cost taxpayers to complete the project. In the meantime, the district's ability to meet the educational needs of its students is hindered as the overcrowding, lack of facilities, or other need continues.

SB 171 limits the ability of local school boards to meet the needs of their students and make decisions based on what is best for their communities. We urge your opposition. Thank you.