

Assembly Bill 16

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CHAPTER 47, LAWS OF 1967

AN ACT to amend 67.01 (1), 67.04 (6), 67.05 (2) (a) and (6) and 67.12 (12) (a), as affected by chapter , laws of 1967 (Senate Bill 72 (b), (c), (d), (e) 1 and (f) ; to repeal and recreate 41.155 (6) and (7) ; and to create 67.05 (6m) and (7) (g) of the statutes, relating to the taxing and bonding authority of vocational, technical and adult education districts.

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

SECTION 1. 41.155 (6) and (7) of the statutes are repealed and recreated to read:

41.155 (6) Annually on or before October 1, the district board may levy a tax, not exceeding 2 mills on the full value of the taxable property of the district, for the purpose of making capital improvements, acquiring equipment and operating and maintaining the schools of the district, except that the 2-mill limitation is not applicable to taxes levied for the purpose of paying principal and interest on valid bonds or notes now or hereafter outstanding as provided in s. 67.035. The secretary of the district board shall file with the clerk of each city, village and town, any part of which is located in the district, a certified statement showing the amount of the levy and the proportionate amount of the tax to be spread upon the tax rolls for collection in each city, village and town. Such proportion shall be ascertained on the basis of the ratio of the full value of the taxable property of that part of the city, village or town located in the district to the full value of all taxable property in the district, as certified to the secretary by the department of taxation. Upon receipt of the certified statement from the secretary of the district board, the clerk of each city, village and town shall spread the amounts thereof upon the tax rolls for collection. When the taxes are collected, such amounts shall be paid by the clerk of each city, village and town to the treasurer of the district board.

(7) The district board may borrow money and levy taxes to be used for the purchase or construction of buildings and for additions, enlargements and improvements to buildings and for the acquisition of sites and equipment. In financing activities under this subsection, the district may issue its bonds or promissory notes under ch. 67 to pay the cost thereof.

SECTION 2. 67.01 (1) of the statutes is amended to read:

67.01 (1) "Municipality" includes a county, city, village, town, common school district, consolidated district, state graded school district, free high school district, union free high school district, unified school district, whether any such district is joint or otherwise, a board of education, a board of park commissioners, a vocational, technical and adult education district and any other public body empowered to borrow money and issue written obligations to repay the same out of public funds or revenues.

SECTION 3. 67.04 (6) of the statutes is amended to read:

67.04 (6) By any *vocational, technical and adult education district*, common school district, consolidated district, state graded school district, free high school district, union free high school district, unified school district, whether any such district is joint or otherwise, or by any board of education, by whatever name designated, which is especially authorized to issue bonds, or by any city authorized to issue bonds for school purposes because of inclusion in a city school district whether the city school district is joint or otherwise: to purchase, erect or improve school buildings, teacherages or bus garages, to acquire schoolhouse, teacherage or bus garage sites or school playgrounds, to acquire sites and erect or enlarge buildings thereon for schools of vocational and adult education or for use by the local board of vocational and adult education and to equip such buildings with heat, light, ventilation or other necessary apparatus; to purchase school transportation vehicles; to refund indebtedness heretofore contracted; to construct at schools without the limits of cities and villages safety zones and necessary connecting ways or roads to the public highways required by s. 40.61; but no issue of bonds for purchasing a schoolhouse site, a teacherage site, or a school playground, or for purchasing or erecting a teacherage, or for purchasing school transportation vehicles, shall exceed \$25,000, except in counties containing a population of \$150,000 or more, where the limit of indebtedness that may be incurred for the acquisition of a schoolhouse site or addition thereto, is any sum not in excess of an amount certified by the governing body of the town, village or city in which the site is situated as reasonable and necessary for that purpose; and provided that any school district whose territory consists of a city of the 4th class or of a city of the 4th class and a part or the whole of any adjoining town or towns may borrow and issue bonds therefor up to 10% as to any such school district offering no less than grades 1 to 12 and which is at the time of incurring the indebtedness eligible for the highest level of school aids, and as to any other such school district up to 5%, and as to *vocational, technical and adult education districts up to 2%*, of the value of its taxable property as equalized for state purposes for the purpose of purchasing schoolhouse sites and the construction and equipment of schoolhouses. Any such school district or city including within its boundaries territory of a former school district may issue bonds to refund the unpaid principal amount of promissory notes issued by such former school district to the extent that such notes have been assigned to it under s. 66.03. Such bonds may be issued without an election and shall bear interest at a rate or rates not exceeding that borne by the notes refunded.

SECTION 4. 67.05 (2) (a) and (6) of the statutes are amended to read:

67.05 (2) (a) The electors of any town, common school district, consolidated district, state graded school district, free high school district, union free high school district, whether such district is joint or otherwise, or of any municipality other than a county, a city, a village, *a vocational, technical and adult education district* or a board of park commissioners, may at any annual meeting, or at a special meeting of such electors called for the purpose, adopt the initial resolution prescribed by sub. (1) without any prior adoption thereof by the governing body of such municipality. The vote in such case shall be made by ballot in substantially the following form:

(6) Whenever an initial resolution ~~shall have~~ *has* been so adopted by the governing body of any municipality whatsoever other than a county, a town, a city, a village, *a vocational, technical and adult education district* or a board of park commissioners, the clerk of such municipality shall immediately record the same and call a special meeting for the purpose of submitting the resolution to the electors of the municipality for ratification or rejection. The calling and conduct of such meeting shall be governed by

those statutes, so far as applicable, which govern the calling and conduct of special meetings in general. The notice of the meeting, which shall be publicly read before the balloting shall commence, and the ballot used, shall embody a copy of the resolution; the form of the ballot shall correspond, as near as may be, with form "D" annexed to s. 5.64 (2); and the question submitted shall be whether the resolution shall be approved.

SECTION 5. 67.05 (6m) of the statutes is created to read:

67.05 (6m) HEARING AND REFERENDUM IN VOCATIONAL, TECHNICAL AND ADULT EDUCATION DISTRICTS. Prior to the adoption of an initial resolution under sub. (1), the board of a vocational, technical and adult education district shall adopt a resolution stating its intention to borrow money for the purposes specified in s. 41.155 (7) and setting a date, time and place for a public hearing on the resolution which shall be held within 30 days of the adoption of such resolution. The vocational, technical and adult education district secretary immediately shall publish a copy of such resolution as a class 1 notice, under ch. 985.

(a) A resolution adopted by a vocational, technical and adult education district board for an issue of bonds in an amount of money not exceeding \$100,000 for purposes specified in s. 41.155 (7) need not be submitted to the electors of the district for approval. A resolution adopted by a vocational, technical and adult education district board for an issue of bonds in an amount of money in excess of \$100,000 for purposes specified in s. 41.155 (7) need not be submitted to the electors of the district for approval, unless within 30 days after the resolution is adopted there is filed with the vocational, technical and adult education district secretary a petition signed by 1,000 electors in the district requesting a referendum thereon. Any resolution adopted under sub. (1) at the discretion of the district board, may be submitted to the electors without waiting for the filing of a petition.

(b) If a referendum is to be held on a resolution, the district board shall direct the vocational, technical and adult education district secretary to call a special election for the purpose of submitting the resolution to the electors for a referendum on approval or rejection. In lieu of a special election, the district board may specify that the election be held at the next succeeding spring primary or election or September primary or general election.

(c) The secretary shall publish a class 2 notice, under ch. 985, containing a statement of the purpose of the referendum, giving the amount of the bonds proposed to be issued and the purpose for which they will be issued, and stating the time and places of holding the election and the hours during which the polls will be open.

(d) The board shall provide the election officials of each city, village and town having territory in the district with all necessary election supplies, and, for a special election, shall provide or arrange for the necessary ballot boxes and booths and select the necessary election officials. The form of the ballot shall correspond substantially with form "D" annexed to s. 5.64 (2). The ballot need not embody a copy of the resolution, but shall contain a statement of the purpose and the amount of the bonds proposed to be issued.

(e) The election shall be held and conducted and the votes cast thereat counted and canvassed as at regular municipal elections and the results certified to the vocational, technical and adult education district secretary. A majority of all votes cast in the district shall decide the question.

SECTION 6. 67.12 (12) (a), as affected by chapter , laws of 1967 (LRB-320), (b), (c), (d), (e) 1 and (f) of the statutes are amended to read:

67.12 (12) (a) In addition to the powers heretofore given, any county, city, village, town, school district, *vocational, technical and adult education district* or town sanitary district may borrow money for the acquisition of lands for public purposes, for permanent improvements of lands, for public work or improvement, and the enlargement or extension thereof, for the

acquisition, development, remodeling, construction and equipment of land, buildings and facilities for regional projects, or for equipment or machinery or for general and current municipal expenses, or to provide financial assistance to blight elimination, slum clearance, redevelopment and urban renewal programs and projects under ss. 66.43, 66.431 and 66.435, and in the case of cities, villages and towns for the acquisition and development of industrial sites to the extent permitted by s. 66.52 (3); and also for the purpose of making improvements, additions, extensions or enlargements to an auditorium or to an arena operated in conjunction with or as a part of such auditorium provided for under ch. 43.

(b) To evidence such indebtedness the county, city, village, town, school district, *vocational, technical and adult education district* or town sanitary district shall issue to the lender its promissory notes with interest not exceeding 5% per annum, payable within a period not exceeding 10 years following the date of issuance of said notes.

(c) At any time during the term of any original promissory note, or thereafter, in the event the county, city, village, town, school district, *vocational, technical and adult education district* or town sanitary district has not paid the full amount due thereon: 1. the lender may grant an extension of time, or 2. if the terms of any not outstanding permits payment prior to maturity, the county, city, village, town, school district, *vocational, technical and adult education district* or town sanitary district may refund such note outstanding or any part thereof. such extension or refunding to be evidenced by a refunding note for payment of any amounts due or to become due under the provisions of such original promissory note upon such terms as may be agreed upon, with interest not exceeding 5% per annum, for a term not exceeding 10 years following the date of issuance of any such refunding note.

(d) Such notes shall be signed by the same officers as are required by law to sign municipal bonds and shall carry on the face thereof the provisions of the resolution authorizing the same or a digest thereof or a reference to the same so that it can be readily located; and such notes shall be the general obligation of the county, city, village, town, school district, *vocational, technical and adult education district* or town sanitary district issuing them.

(e) 1. The governing body of such county, city, village, town, school district, *vocational, technical and adult education district* or town sanitary district shall adopt and record a resolution specifying the purposes and the amount of the loan or that the note is a refunding note, the instalments, the rate of interest, and levying a direct annual irrevocable tax sufficient to pay each instalment, and the interest, as it becomes due and payable. Such resolution shall be adopted by at least a three-fourths vote of the members-elect of such governing body, or, in the case of a city borrowing for school purposes and having territory attached for school purposes only, by at least three-fourths of all the votes provided by the formula contained in s. 40.807 (2).

(f) The county clerk, city comptroller, village clerk, town clerk, school district clerk, *vocational, technical and adult education district secretary* or town sanitary district secretary shall keep, maintain and preserve an adequate and correct register account of all notes issued and all payments and other transactions relating thereto.

Approved June 19, 1967.