



2009 ASSEMBLY BILL 806

March 4, 2010 – Introduced by Representatives CLARK, HRAYCHUCK, POPE-ROBERTS, HILGENBERG, DEXTER, MILROY, ZIGMUNT, GARTHWAITE, SMITH, MOLEPSKE JR., MURSAU and M. WILLIAMS, cosponsored by Senators VINEHOUT, HOLPERIN, KREITLOW and OLSEN. Referred to Committee on Education.

1 **AN ACT** *to renumber and amend* 117.20 (1); *to amend* 117.22 (1) (b) 1.; and *to*
2 *create* 117.08 (5) and 117.20 (1) (b) of the statutes; **relating to:** the procedure
3 for school district consolidations.

Analysis by the Legislative Reference Bureau

Currently, the procedure for the consolidation of two or more school districts is the following:

1. The school boards adopt resolutions stating that they will consider consolidating their school districts.

2. In the first July following the adoption of resolutions, the school boards may order the school districts consolidated.

3. A referendum is held on the consolidation if the school board of any of the affected school districts directs that one be held, or if a petition signed by a sufficient number of electors is filed before the second Tuesday of September. The referendum, if necessary, is held in November.

4. The consolidation takes effect on the following July 1.

This bill provides two alternative timelines for school district consolidations if the school boards considering consolidation specify in their initial resolutions which alternative timeline applies. The timeline for the first alternative is the following:

1. The school boards may order the school districts consolidated in the first December following the adoption of their initial resolutions.

2. A referendum is held on the consolidation if the school board of any of the affected school districts directs that one be held, or if a petition signed by a sufficient

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number of electors is filed before the second Tuesday of February. The referendum, if necessary, is held in April.

3. The consolidation takes effect on the second following July 1.

The timeline for the second alternative is as follows:

1. The school boards may order the school districts consolidated in the first May following the adoption of their initial resolutions.

2. A referendum is held on the consolidation if the school board of any of the affected school districts directs that one be held, or if a petition signed by a sufficient number of electors is filed before the second Tuesday of July. The referendum, if necessary, is held in September.

3. The consolidation takes effect on the following July 1.

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

1 **SECTION 1.** 117.08 (5) of the statutes is created to read:

2 117.08 (5) ALTERNATIVE TIMELINES. (a) If each school board adopting a
3 resolution under sub. (1) specifies in its resolution that the alternative timeline
4 under this paragraph applies, the dates specified in subs. (2), (3) (a) 2., and (4) are
5 changed as follows:

6 1. The resolutions ordering or denying a consolidation under sub. (2) shall be
7 adopted in the first December beginning after the adoption of resolutions by 2 or
8 more school boards under sub. (1). Failure of a school board to adopt a resolution
9 either ordering or denying the consolidation before January 1 constitutes a denial of
10 the consolidation by that school board.

11 2. The petition requesting a referendum under sub. (3) (a) 2. shall be filed before
12 the 2nd Tuesday of February following the adoption of the resolutions under sub. (2).

13 3. If a majority of the votes cast in each affected school district is in favor of
14 consolidation, the school districts shall be consolidated on the 2nd following July 1.

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1 (b) If each school board adopting a resolution under sub. (1) specifies in its
2 resolution that the alternative timeline under this paragraph applies, the dates
3 specified in subs. (2) and (3) (a) 2. are changed as follows:

4 1. The resolutions ordering or denying a consolidation under sub. (2) shall be
5 adopted in the first May beginning after the adoption of resolutions by 2 or more
6 school boards under sub. (1). Failure of a school board to adopt a resolution either
7 ordering or denying the consolidation before June 1 constitutes a denial of the
8 consolidation by that school board.

9 2. The petition requesting a referendum under sub. (3) (a) 2. shall be filed before
10 the 2nd Tuesday of July following the adoption of resolutions under sub. (2).

11 **SECTION 2.** 117.20 (1) of the statutes is renumbered 117.20 (1) (a) and amended
12 to read:

13 117.20 (1) (a) ~~If~~ Except as provided in par. (b), if a referendum is required under
14 ss. 117.08 to 117.11, it shall be held on the Tuesday after the first Monday in
15 November following receipt of the petition or adoption of the resolution under s.
16 117.08 (3) (a), 117.09 (3) (a), 117.10 (3) (a) or 117.11 (4) (a). If a referendum is required
17 under s. 117.105, it shall be held on the Tuesday after the first Monday in the 2nd
18 November following receipt of the petition or adoption of the resolution under s.
19 117.105 (1).

20 **SECTION 3.** 117.20 (1) (b) of the statutes is created to read:

21 117.20 (1) (b) 1. If the alternative timeline under s. 117.08 (5) (a) is used and
22 a referendum is required, it shall be held on the first Tuesday in April following
23 receipt of the petition or adoption of the resolution under s. 117.08 (3) (a).

