



2009 ASSEMBLY BILL 169

March 24, 2009 – Introduced by Representative ZIPPERER, cosponsored by Senator KANAVAS. Referred to Committee on Elections and Campaign Reform.

1 **AN ACT to amend** 8.10 (3) (km), 8.10 (3) (ks) and 121.02 (3); and **to create** 120.06
2 (6) (am) of the statutes; **relating to:** the number of nomination paper
3 signatures required for school board candidates in certain school districts.

Analysis by the Legislative Reference Bureau

Currently, the number of nomination paper signatures required for school board candidates in first class city school districts is not less than 400 nor more than 800 electors. If a school district contains territory lying within a second class city, the number of nomination paper signatures required for school board candidates is not less than 100 nor more than 200 electors. If a school district does not contain any territory lying within a first or second class city, nomination papers are not required for school board candidates unless the school board, or in a common or union high school district, the school board or the annual meeting, requires nomination papers, in which case the signatures of not less than 20 nor more than 100 electors are required.

This bill permits the school board of any school district other than a first class city school district that contains territory lying within cities of more than one class in which nomination papers are required for school board candidates, or in a common or union high school district, the school board or annual meeting, to prescribe, by a vote of at least two-thirds of the board or meeting, a different number of nomination paper signatures for school board candidates than the number currently prescribed by law. Under the bill, the board or meeting must prescribe either the number that applies in school districts containing territory lying within a second class city or the

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number that applies in school districts not containing territory lying within a first or second class city. Under current law, any change in the number of nomination paper signatures required for school board candidates also changes the number of signatures required on a petition to require the state superintendent of public instruction to hold a public hearing in a school district concerning the issue of noncompliance by the district with state school district standards.

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

1 **SECTION 1.** 8.10 (3) (km) of the statutes is amended to read:

2 8.10 **(3)** (km) For school district officer in any school district which contains
3 territory lying within a 2nd class city except a school district in which the school
4 board or annual meeting prescribes a different number of signatures under s. 120.06
5 (6) (am), not less than 100 nor more than 200 electors.

6 **SECTION 2.** 8.10 (3) (ks) of the statutes is amended to read:

7 8.10 **(3)** (ks) For school district officer in any school district which does not
8 contain territory lying within a 1st or 2nd class city except a school district in which
9 the school board or annual meeting prescribes a different number of signatures
10 under s. 120.06 (6) (am), if nomination papers are required under s. 120.06 (6) (a),
11 not less than 20 nor more than 100 electors.

12 **SECTION 3.** 120.06 (6) (am) of the statutes is created to read:

13 120.06 **(6)** (am) If a school district contains territory lying within cities of more
14 than one class and nomination papers are required for candidates for the school
15 board, the school board may, or in a common or union high school district the school
16 board or annual meeting may, by resolution adopted by a vote of at least two-thirds
17 of the members or electors voting, not later than the last Tuesday in November
18 preceding an election for members of the school board, specify a number of
19 nomination paper signatures for school board candidates equal to the number

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1 specified in s. 8.10 (3) (km) or the number specified in s. 8.10 (3) (ks). If the school
2 board or annual meeting has previously specified a number of nomination paper
3 signatures for candidates for the school board that is different from the number that
4 would otherwise apply under s. 8.10 (3) (km) or (ks), the body making that decision
5 may, by similar resolution adopted by a vote of at least two-thirds of the members
6 or electors voting, not later than the last Tuesday in November preceding an election
7 for members of the school board, rescind that decision.

8 **SECTION 4.** 121.02 (3) of the statutes is amended to read:

9 121.02 (3) Prior to any finding that a school district is not in compliance with
10 the standards under sub. (1), the state superintendent shall, upon request of the
11 school board or upon receipt of a petition signed by the maximum number of electors
12 allowed for nomination papers of school district officers under s. 8.10 (3) (i), (km) or
13 (ks) or 120.06 (6) (am), conduct a public hearing in the school district. If the state
14 superintendent, after the hearing, finds that the district is not in compliance with
15 the standards, the state superintendent may develop with the school board a plan
16 which describes methods of achieving compliance. The plan shall specify the time
17 within which compliance shall be achieved. The state superintendent shall withhold
18 up to 25% of state aid from any school district that fails to achieve compliance within
19 the specified period.

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(END)