

No. 529, A.]

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CHAPTER 695.

AN ACT to renumber 39.35 and to create 39.01 (1) (a), (2) (a) and (b) and 39.03 (1) (h) of the statutes, relating to the county superintendents of schools.

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

SECTION 1. 39.01 (1) (a) of the statutes is created to read:

39.01 (1) (a) The county boards of 2 or more counties may by the adoption of a joint resolution employ one superintendent of schools for their counties. Such joint resolution shall be filed with their respective county clerks and the state superintendent of public instruction before January 1 of the year in which an election for county superintendent of schools is to be held. Such filing of the joint resolution shall terminate the position of county superintendent of schools, in the adopting counties, at the end of the existing term. The resolution shall state that the position of superintendent of schools for the counties of is created to become effective on July, 19...., and that the election for that office shall be for superintendent of schools for the counties of The laws relating to the office of county superintendent of schools shall apply to such superintendent of schools except that nomination papers shall be filed with the secretary of state and the salary and expenses of such position shall be prorated by the county boards.

SECTION 2. 39.01 (2) (a) and (b) of the statutes are created to read:

39.01 (2) (a) Any candidate for the office of county superintendent of schools shall file with the proper county clerk or clerks a statement approved by the state department of public instruction confirming his qualifications establishing eligibility for candidacy for election to and occupancy of the office of county superintendent of schools as a condition precedent to having his name placed on the ballot. The requirement of the filing of this statement shall apply to write-in candidates before the board of canvassers of election shall issue a certificate of election.

(b) When it appears that a county superintendent of schools, because of illness or other incapacity, is unable to perform the duties of his office, the county judge shall, upon the request of the state superintendent of public instruction, make determination of such question. If the county judge finds that the county superintendent of schools is unable to perform the duties of his office, he shall certify such fact to the state superintendent of public instruction, who shall thereupon appoint a person to perform the duties of the office with the title of "acting superintendent". The duties of acting superintendent shall cease when the county judge notifies him and the state superintendent of public instruction that the county superintendent of schools is able to resume the duties of the office. The county board may compensate such acting superintendent in an amount agreed upon by the county board and the acting superintendent.

SECTION 3. 39.03 (1) (b) of the statutes is created to read:

39.03 (1) (h) Perform such services as the boards of education and superintendents

of city school districts and of districts which employ a superintendent under the provisions of section 40.43 may request on a contract basis.

SECTION 4. 39.35 of the statutes is renumbered 39.01 (1) (b).

Approved July 20, 1951.
