

except as to the time of day for holding such meetings, are hereby validated.

SECTION 3. This act shall take effect upon passage and publication.

Approved August 10, 1915.

No. 1, S.]

[Published August 12, 1915.

## CHAPTER 531.

AN ACT to repeal sections 461b, 461d, 461r, 698, 698a, and 704 of the statutes, relating to the duties, salary, expenses and assistants of county superintendents, and sections 702—1 to 702—13, inclusive, of the statutes, relating to county boards of education; to create section 704 of the statutes, relating to the appointment and duties of committees on common schools in the several counties of the state, and to create section 698 of the statutes, relating to the election, salary, and expenses, assistants, clerks, and duties of county and district superintendents, and making an appropriation therefor.

*The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:*

SECTION 1. Sections 461b, 461d, 461r, 698, 698a, 704 and 702—1 to 702—13, inclusive, of the statutes are repealed. All laws or parts of laws superseded or which were repealed by implication, or otherwise, by the enactment of said sections 702—1 to 702—13, inclusive, are restored and reenacted.

SECTION 2. There is added to the statutes two new sections to read: Section 704. 1. There is hereby created a committee for each county or county superintendent district in the state of Wisconsin to be known as the committee on common schools, consisting of three members, to be appointed or elected as hereinafter provided.

2. The chairman of the county board of supervisors of every county in the state immediately after the passage and publication of this act shall appoint three persons to act as a committee on common schools for the creation, dissolution, or consolidation of school districts, or alteration of school district boundaries, and the appointment of supervising teachers provided for in subsection 10 of section 698. Any elector resident within the county, but not within a city under a city superintendent, shall be eligible to appointment on such committee, provided that no member of the county board of supervisors shall be eligible to serve as a member of such committee. The terms of office of the members of the committee on common schools appointed

by the chairman of the county board of supervisors shall expire on the first Tuesday succeeding the second Monday in November, 1915. At the annual meeting of the county board of supervisors of every county in the state held in November, 1915, there shall be elected by the county board of supervisors a committee on common schools consisting of three members to perform the duties imposed by this act on such committee. The terms of office of the members of the committee on common schools shall be for three years from the date of their election, except that the county board of supervisors at the November meeting, 1915, shall select one member who shall serve for one year, one member who shall serve for two years, and one member who shall serve for three years from the date of his election, and annually thereafter the county board of supervisors of every county in the state shall at the regular meeting in November elect one member on the committee on common schools who shall serve for three years from the date of his election or until his successor shall have been elected.

3. Vacancies occurring in the committee on common schools while the county board of supervisors is not in session shall be filled by appointment by the chairman of the county board of supervisors. The person so appointed shall serve until the next regular meeting of the county board of supervisors, at which time the vacancy shall be filled for the unexpired term by election by the county board of supervisors.

4. The members of the county board of supervisors representing only cities or wards of cities or districts in cities having an independent system of schools supervised by an independent city superintendent, shall have no voice in electing members of the committee on common schools, nor shall any tax be levied in such city to pay any part of the per diem or expenses of the members of such committee. In counties maintaining two superintendent districts the chairman of the county board of supervisors shall appoint two committees on common schools of three members each, as provided for in subsection 2 of section 704, and the county board of supervisors in such counties shall in November, 1915, and annually thereafter, as provided for in subsection 2 of section 704, elect two committees on common schools.

5. The members of the committee on common schools appointed before November, 1915, shall meet at the county seat on the first Tuesday after their appointment and elect one of the members as chairman of the committee, who shall serve until his successor shall have been chosen. The first meeting of the

committee on common schools held in accordance with this subsection shall be construed to be the first annual meeting of the committee on common schools.

6. After December 1, 1915, the committee on common schools shall meet annually at the county seat on the first Tuesday in December for the transaction of such business as may properly come before it. Special meetings may be called by the secretary of the committee upon the order of the chairman, or by the other two members of the committee at such times and places as may be designated in the call. At least six days' written notice of the time, place and purpose of any special meeting shall be given each member of the committee. It shall be lawful to send such notice by registered mail. The clerk for the county superintendent shall be ex officio secretary of the committee, but in case no such clerk is serving then the committee on common schools shall elect one of its members as secretary. A majority of the committee shall constitute a quorum.

7. It shall be the duty of the secretary of such committee to keep a record of all of the proceedings of the committee. The county clerk shall furnish the committee, at the expense of the county, all necessary record books, stationery, printing and postage needed for the proper discharge of its duties. The bill for the expense of such supplies shall be audited and allowed as other claims against the county are audited and allowed. It shall be the duty of the county superintendent, upon the request of the committee, to attend its meetings and to advise with the committee.

8. The members of the committee on common schools shall be allowed a per diem of three dollars and all necessary and actual expenses incurred in the performance of their duties, provided that they shall not be paid a per diem for more than fifteen days in any one year. The per diem and the expenses of the members of this committee shall be audited and paid as other claims against the county are now audited and paid.

9. Any person feeling himself aggrieved at the action of any town board, village board of trustees, or city councils in creating, dissolving, or consolidation of school districts, or altering school district boundaries, or in refusing to create, dissolve, or consolidate school districts, or alter school district boundaries may appeal to the committee on common schools, which shall try the appeal in the manner, within the time and with the same result as in case of trial on appeal to the state superintendent.

10. Any person feeling himself aggrieved at the action of the committee on common schools in creating, dissolving, or con-

solidating of school districts, or altering school district boundaries, or in refusing to create, dissolve, or consolidate school districts, or alter school district boundaries, or by anything done by the committee under the provisions of this section, may appeal to the state superintendent as is now provided by law in sections 497 and 497a of the statutes.

11. It shall be the duty of the committee on common schools to file a copy of its decision in any case heard before it in accordance with the provisions of this section with the clerks of the school districts interested and with the county superintendent within six days after having made said decision.

12. The committee on common schools shall within two years after its appointment proceed to make a map of the county, showing the boundaries of the school district in the county, the location of the schoolhouses, and the main highways. It shall be the duty of the county superintendent, the supervising teachers, and the clerk for the county superintendent to assist the committee on common schools in the preparation of the county school district map. The map when made shall be kept in the office of county superintendent at the county seat, or in case the county superintendent does not maintain an office at the county seat, then in the office of the county clerk, and shall be corrected from time to time. But no order for the consolidation of school districts shall be made if a majority of those voting on the question of consolidation under section 496—1 of the statutes, shall vote against consolidation.

13. It shall be the duty of the committee on common schools on or before the first day of November of each year to file with the county board of supervisors a report setting forth the number of meetings held and the number of school districts created, dissolved, consolidated or altered, and a report of the expenses of the members of the committee. The report when filed shall be published in the proceedings of the county board of supervisors and shall be filed with the county clerk.

Section 698. At the general election in the year one thousand nine hundred and four, and biennially thereafter, there shall be elected in each county for a regular term, the following county officers, viz.: A county clerk, treasurer, sheriff, coroner, clerk of circuit court, district attorney, register of deeds and surveyor. The regular term of office of all such officers shall commence on the first Monday of January next succeeding their election and continue two years; but each such officer, including those now in office, shall hold his office until his successor is qualified.

2. A superintendent of schools shall be chosen by the qualified electors of each superintendent district in the state of Wisconsin, at the election to be held on the first Tuesday in April in the year one thousand nine hundred and five, and biennially thereafter, and said officer shall hold his office for the term of two years from the succeeding first Monday of July. The superintendent of each superintendent district shall hold his office until his successor shall have been elected or appointed and shall have qualified.

3. The county board of supervisors of every county at the annual meeting next preceding the election of such county or district school superintendent shall fix the amount of the annual salary which shall be received by such county or district superintendent of schools. Provided, that if the supervisors fail or neglect to vote upon and fix the salary of the county or district superintendent, the salary last legally fixed shall continue to be the salary paid. The county board of supervisors are empowered and directed to make provision for the payment of the salary of the county or district superintendent in twelve equal monthly installments.

4. No county or district superintendent of schools except in counties where his salary is less than eight hundred dollars, shall engage in teaching during the term for which he was elected, or engage in any business, profession, occupation or pursuit during the term for which he was elected, which will in anywise interfere with the proper discharge of the duties of his office. He shall not absent himself from the county or district to engage in any business, occupation, profession, or pursuit, during the term for which he was elected. A violation of any of the provisions of this subsection shall subject the offender to removal from office and to a loss of salary during the entire time that any of the provisions of this subsection have been violated. It shall be the duty of the district attorney, upon complaint, to commence an appropriate action for the recovery of any sum due for violation of any of the provisions of this subsection. Any sum recoverable under the provisions of this subsection shall be placed in the general fund of the county.

5. All county and district superintendents shall be allowed in addition to their salary such actual and necessary expenses incurred in the proper discharge of their duties as may be reasonable and just, and shall be allowed all stationery, postage, and printing necessary for the proper discharge of the duties of their office as may be reasonable and just. The county or district superintendent shall make and present itemized statements

of his accounts for expenses, printing, stationery, and postage to the county clerk prior to the November meeting of the county board of supervisors, and they shall be audited at the annual meeting of the county board of supervisors and paid as allowed. The county board of supervisors are authorized to make provision for the quarterly payment of such expenses.

6. In counties having more than sixty schools the county board of supervisors at the annual meeting in November, 1915, and annually thereafter, may authorize the county superintendent to employ a clerk, and shall fix the salary to be paid to such clerk for the county superintendent, which shall be paid in monthly installments and paid as other claims against the county are now audited, allowed and paid. The county board of supervisors are authorized to appropriate money to the county superintendent to enable him to employ competent persons to assist in conducting and marking papers in examinations for common school diplomas. The county board of supervisors may limit the per diem to be paid to such common school diploma examiners and the number of days that each such examiner may receive pay.

7. In all cases where the county is divided into two superintendent districts only those members of the county board of supervisors residing within the superintendent district—supervisors from cities under city superintendents to be excluded—shall have and exercise the power and authority granted above to the county board of supervisors in cases where the superintendent district comprises the entire county.

8. In order to exercise such power and authority the supervisors from each superintendent district shall meet and organize after the manner of organization provided for county boards of supervisors so far as necessary in order to transact the business before them, and when so organized the supervisors from one superintendent district shall act independently and free from any interference, voice, direction or control from the supervisors of the other district.

9. All supervisors representing only cities or wards of cities or districts in cities having an independent system of schools supervised by an independent city superintendent are excluded from any participation in the deliberations of the supervisors of any superintendent district had with reference to the manner of directing the administration of its school affairs, nor shall any tax be levied in any such city to pay any part of the salary, expenses, printing or postage of such county or district superintendent, or the salary of the clerk for such superintendent, or

the per diem and expenses of the members of the board of examiners for common school diplomas.

10. The committee on common schools provided for in subsection 2 of section 704, on the first Tuesday after their appointment and annually thereafter on the third Tuesday in July shall upon the nomination of the county superintendent appoint one supervising teacher with the qualifications hereinafter provided, to assist the county superintendent in supervising schools. In counties or superintendent districts having more than one hundred twenty-five schools the committee on common schools may on the third Tuesday in July, upon the nomination of the county superintendent, appoint two supervising teachers with the qualifications hereinafter provided, to assist county superintendents in supervising schools. The county or district superintendent shall, immediately upon the passage of this act, and annually thereafter on or before the third Tuesday in July, file with the chairman of the committee on common schools the names of persons qualified under the provisions of subsection 12 to hold the position of supervising teacher. The number of names so filed shall be three times the number of persons to be appointed in any county or superintendent district.

11. The committee on common schools shall make the appointment or appointments provided for in subsection 10 of this section from the eligible list so filed by the county superintendent and fix the monthly salary to be paid such supervising teacher or teachers within the salary limitations fixed in this section. The supervising teacher when so appointed shall be employed for ten calendar months. The county or district superintendent shall determine the months in the year during which the supervising teacher shall be employed, provided that no supervising teacher shall be employed and paid for more than ten months in any one year. The salary of the supervising teacher shall not be less than sixty dollars nor more than eighty dollars per calendar month. In addition to this salary the supervising teacher shall be reimbursed for all actual and necessary expenses incurred in the performance of his duties. The salary of the supervising teacher shall be paid in ten equal monthly installments. The county board of supervisors in every county shall appropriate money to pay the salary and expenses of the supervising teachers, provided for in this act, until such times as the county or superintendent district shall be reimbursed by the state for the amount paid for such purposes. The county board of supervisors are authorized to make provisions for the

monthly payment of the salary and expenses of each supervising teacher.

12. No person shall be eligible to nomination by the county superintendent or appointment by the committee on common schools as supervising teacher in any county or superintendent district who does not at the time of his appointment hold a state certificate, either a first grade county certificate, or a second grade county certificate, or a certificate of graduation from a county training school for teachers, or from the training department of a high school maintaining a teachers' training course as provided in section 496c of the statutes, and in addition to such educational qualifications shall have had at least three years of successful experience in teaching, at least one of which shall have been in rural schools.

13. It shall be the duty of the supervising teacher, during the time the schools are in session, to supervise and assist, under the direction of the county superintendent, the teachers employed in the schools of the county or superintendent district, devoting special attention to the less experienced teachers. He shall, under the direction of the county superintendent, assist in organizing and administering the schools in the county, classifying them according to the character of the work done, and in grading pupils toward the development of their individual capabilities. He shall endeavor to stimulate an interest among the pupils, teachers and parents in agriculture and other subjects pertaining to rural conditions, and shall consult and advise with school boards. It shall be the duty of each supervising teacher to report weekly to the county superintendent the number and names of the schools visited, the time spent in each school, the number and names of school officers met, and such other facts and information as may be required by the county superintendent. When the schools are not in session the supervising teacher shall visit the homes within his supervisory district to promote general educational interest, and advance his personal knowledge of the application of the rural school to its needs and accomplishments, and report the same to the county superintendent and shall perform such other work as the county superintendent may direct. Any supervising teacher may be removed by the joint action of the county superintendent and the committee on common schools, provided he fails to perform diligently and efficiently the duties imposed upon him by law or for any conduct unbecoming a teacher.

14. It shall be the duty of each county or district superintendent in the state to send a written report of each formal per-

sonal visit to any school in the territory under his jurisdiction to the clerk of the school district. The report shall set forth the date of his visit, the number of hours he was at the school, the number of pupils enrolled, the number of pupils present, his opinion of the order, discipline, grading and spirit of the school and of the efficiency of the teacher. He shall also in this report call the attention of the board to any needed supplies or equipment, or needed improvements to the school building, outbuildings or grounds. A copy of each such report shall be filed in his office, where it shall remain as a public record. Each supervising teacher shall make a similar report on each visit to a school to the county superintendent and shall furnish such other facts or information as may be called for by the county superintendent. On receipt of such report from the supervising teacher the county or district superintendent shall thereupon send the district clerk of each school visited by the supervising teacher such a written report based on this inspection report as he shall deem wise and necessary. The county superintendent and the supervising teachers shall make reports to the committee on common schools on such subjects as the board may deem necessary.

15. The county or district superintendent shall between the first and tenth days of July in each year make out, under oath, a report in writing to the state superintendent, setting forth the name and qualifications of the supervising teacher, or teachers, the number of months employed, the total amount of his monthly salary and of his actual and necessary expenses allowed or paid during the year ending the preceding June thirtieth, and such other facts as may be required by the state superintendent.

16. On receipt of such report, if it shall be satisfactory to the state superintendent, and if it shall appear, as the result of an actual inspection by the direction of the state superintendent, that the work of such supervising teacher has been efficient, and that he has devoted his time exclusively to the duties of his position, the state superintendent shall certify in favor of the county employing such supervising teacher, or teachers, the amount of the salary and the actual and necessary expenses paid to such supervising teacher, or teachers, for the year ending the preceding June thirtieth, and file it with the secretary of state, whereupon the secretary of state shall draw his warrant to the amount of the certificate in favor of the county treasurer of the county employing such supervising teacher, or teachers. The amount so certified shall be paid upon the warrant of the secretary of state by the state treasurer to the treasurer of the county, to be placed in a fund to be used for the payment of the salary and expenses of the supervising teacher, or teachers.

17. Each county or district superintendent shall be reimbursed his actual and necessary expenses incurred in traveling from his residence to the place of holding the nearest and most accessible convention of county superintendents called by the state superintendent, his hotel expense during the time he actually attended such convention and his expenses incurred in returning to his place of residence. An itemized statement for such expenses shall be audited by the county board upon the presentation thereof with the certificate of the state superintendent attached, showing the attendance of the county or district superintendent on such convention for the time specified in the statement, and not more than one such account shall be paid for any one superintendent for each year. Each county or district superintendent shall give a bond with such sureties as the county board of supervisors may approve, for the proper performance of his duties under the law providing for a county teachers' institute fund, which bond shall secure the payment of not less than twice the sum of money which the board may estimate will come into his hands in consequence thereof.

18. There is hereby appropriated annually from the fund created by section 1072a of the statutes, before it shall have been distributed by the state superintendent as required by law, an amount sufficient to pay all claims for salary and expenses, arising under the provisions of subsection 16 of this section.

SECTION 3. This act shall take effect upon passage and publication.

Approved August 10, 1915.

No. 371, S.]

[Published August 12, 1915.

## CHAPTER 532.

AN ACT to create section 4560a—2m of the statutes, relating to rough fish.

*The people of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:*

SECTION 1. There is added to the statutes a new section to read: Section 4560a—2m. 1. The state conservation commission may upon application therefor issue to any person, firm or corporation a license to use and operate a seine, fyke, hoop net or turtle net in lakes Winnebago, Winneconne, Poygan, Butte des Morts, Little Butte des Morts, and the Fox and Wolf rivers, for the purpose of taking and catching rough fish. All the following varieties of fish so caught shall be the property of the licensee, i. e., buffalo fish, carp, eelpout, dogfish, sheepshead, bill-