

No. 214, S.]

[Published April 24, 1949.

CHAPTER 61.

AN ACT to create 40.303 (8) of the statutes, relating to the county school committee.

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

SECTION 1. 40.303 (8) of the statutes is created to read:

40.303 (8) APPROVAL OF ORDERS BY ELECTORS. (a) If within 30 days after the date of issuance of any order of the county school committee creating, altering, consolidating or dissolving school districts within the county, in cases where no appeal has been taken therefrom, and if within 30 days after the effective date of this subsection in cases where an appeal from such order is pending, a petition signed by 15 per cent of the electors of the territory to be placed in the proposed reorganized district is filed with the county school committee requesting a referendum election on the order, such order shall not become effective until approved at a referendum election held for that purpose by a majority vote of the electors residing in any city or village involved in the proposed reorganized district and by a majority vote of the electors residing in the territory involved in the proposed reorganized district lying outside such city or village. Proceedings on pending appeals from such orders shall be held in abeyance for a period of 30 days after the effective date of this subsection and thereafter, in cases where such petition is filed, until such order is so approved at a referendum election. The county school com-

mittee may upon its own motion provide for the holding of a referendum election upon an order issued by it, provided such motion is made within 30 days of the issuance of the order. If a proposed order is not approved by the referendum the county committee may prepare a second plan of reorganization and order a reorganized district or districts in accordance therewith.

(b) The referendum election provided for in this subsection shall be called by the county clerk and it shall be set for a date not more than 30 days from the time the petition for a referendum is filed with the county committee or 30 days from the time the county school committee by its own motion provides for a referendum. The county clerk shall cause notice of the purpose, time and place of holding such election and the hours of opening and closing of the polls to be published at least twice one week apart in a newspaper or newspapers of general circulation in the territory involved in the reorganization, if there be any, and if there are none, he shall post or cause to be posted such notices at least 15 days before the date set for such election in at least 3 public places in each of the school districts involved in the reorganization.

(c) Electors shall vote at the polling place at which they would be required to vote at a general election. The polls shall open at 7 a. m. and be closed at 8 p. m. or at an earlier hour to be determined by the local governing body. The election officials shall be selected by the governing body of the municipality where the polling place is located. The municipality shall compensate the election officials and shall provide the necessary ballot boxes and voting booths. Such elections shall be held and conducted and the votes cast thereat counted, canvassed and the results returned to the county clerk as at general elections as provided in chapter 6.

(d) The county clerk or the county election commission, as the case may be, shall provide for the printing and distribution of ballots and other election supplies. The form of the ballot provided shall correspond as near as may be with form "D" annexed to section 6.23. In the case of a reorganized district which overlaps county lines, the election shall be conducted and the vote counted and canvassed in each county separately, but a tabulation of the vote in each county shall be forwarded to the county clerk of the county having the greatest equalized valuation within the reorganized district for a final consolidated tabulation and determination of the result.

(e) When a reorganized district includes territory in more than one county, the county clerk of the county having the largest assessed valuation within the reorganized district shall be responsible for conducting the referendum election as provided in this subsection but the cost of election shall be borne equally by all of the counties concerned.

SECTION 2. This act shall take effect upon passage and publication and shall remain in effect until June 30, 1949.

Approved April 23, 1949.
