

No. 418, S.]

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CHAPTER 267.

AN ACT to create 40.32 of the statutes, relating to creation of joint interstate school districts.

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

40.32 of the statutes is created to read:

40.32 CREATION OF JOINT SCHOOL DISTRICTS BETWEEN STATES.

(1) **AUTHORITY.** Upon approval by the state superintendent, the county school committee of any county or the municipal board of any municipality in Wisconsin bordering on the boundary of Wisconsin and an adjoining state, may by joint action with bodies authorized to do so by the laws of such adjoining states, issue and file orders of creation of joint school districts comprised of territory lying in Wisconsin and in such adjoining states and by such order provide for the operation of either elementary grades or high school grades, or for both elementary and high school grades by such districts. Such orders may be subject to a referendum election as provided by section 40.303.

(2) **GOVERNMENT.** (a) The order creating the district shall fix the date, time and place of holding the first annual meeting of the district and shall provide for a board of 7 members. Thereafter the district annual meeting shall be held on the corresponding date, time and place. The annual meeting will elect a chairman and secretary and shall elect the officers of the district by ballot. The 3 candidates receiving the highest number of votes shall hold office for 3 years; the 2 candidates receiving the next highest number of votes shall hold office for 2 years and the 2 candidates receiving the next highest number of votes shall hold office for one year. The elected candidate shall file statements of acceptance of office with the county superintendents of the counties concerned within 5 days after the election.

(b) Vacancies caused by reason of failure to qualify, death, removal of residence from the district, resignation, removal from office or for any other reason shall be filled by the

remaining members of the board. Members so appointed shall serve for the unexpired remainder of the term. The board shall be vested with the powers and charged with the duties of common school district boards that are provided in the statutes of both states. The board shall contract in writing with teachers who possess the legal qualifications required by either state.

(3) **TAX LEVY.** The taxes for the maintenance, operation, transportation and capital expenditures of such school district shall be apportioned between the areas in each state in accordance with the full or equalized valuation of the identical types of taxable property in each state, and shall not exceed the legal maximum in the state with the lower maximum. The tax levy shall be apportioned within the portion of the district within each state by the municipal officials thereof in accordance with the requirements of that state.

(4) **STATE AIDS.** For the purposes of computing and apportioning state aids to such districts, each state shall consider that portion of said district lying within its boundaries as an independent school district and compute and apportion the aids accordingly.

(5) **IRRECONCILABILITY OF STATUTES.** In case of the irreconcilability of the statutes of both states regarding any matter not covered herein, the school board of the interstate district shall, in co-operation with the county superintendent of each county in which territory of the district is located, consider the problem and make recommendations to the state superintendents of the states involved. The latter shall review the recommendations and reach an agreement which shall be submitted to the board and shall be spread on the minutes of the school board of such district and shall constitute the effective regulation until the next meeting of the legislatures of the states involved. The legislatures shall review the regulation as an amendment to this section, and it shall continue in effect only if approved by both legislatures.

Approved May 23, 1951.
