

No. 345, S.]

[Published June 18, 1957.

CHAPTER 195

AN ACT to repeal 40.19 (2) ; and to create 62.071 of the statutes, relating to the annexation of territory affecting certain school districts.

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

SECTION 1. 40.19 (2) of the statutes is repealed.

SECTION 2. 62.071 of the statutes is created to read:

62.071 ANNEXATIONS TO CITIES OF THE FIRST CLASS. (1)
Except as provided in sub. (3) and (4), no petition for annexation to a city operating its schools under ch. 38 shall be considered which will result in detachment of more than 20 per cent of the equalized value of a school district. Upon receipt of a petition for annexation the city clerk shall determine in the following manner whether the proposed annexation will result in such detachment. The equalized value of the school district shall be determined as of the date of filing the petition for annexation. The city clerk shall add to the equalized value of the territory proposed to be annexed, as of the date of filing the petition for annexation, the equalized value as of the date of such detachment of any territory detached within the 3 years previous to the filing of the annexation petition from the district in any manner, and he shall certify a copy of his determination

to the school district clerk and the secretary of the county school committee. If the total of such value exceeds 20 per cent of the equalized value of the district as of the date of filing the annexation petition, the proposed annexation shall not occur except as provided in sub. (3) and (4). All equalized values shall be determined by the state supervisor of assessments upon application by the city clerk. When more than one school district is involved in a proposed annexation, a separate determination shall be made for each district involved.

(2) If the common council wishes to consider the annexation petition, it shall direct the city clerk to notify the clerk of each school district concerned and the secretary of the county school committee that a petition for annexation, which will result in detachment of more than 20 per cent of a school district, has been filed. Such notice shall be in writing and shall describe the territory proposed to be annexed and name the school district or districts from which it will be detached.

(3) If the area to be annexed by such proposal includes more than 20 per cent of the equalized valuation of a district, as determined by par. (a), then the electors residing in the remainder of such school district not included in the annexation petition shall be afforded an opportunity to determine whether such remaining area of the district shall be included with the area proposed to be annexed in the following manner. The school district clerk shall, within 20 days of receipt of the report from the city clerk, call a special meeting of the district according to s. 40.20 for the purpose of voting on the question: "Shall the remainder of ----- School District No. ---- of the ----- be included in the territory and petition for annexation to the City of -----?"

Yes No

If the referendum at the special district meeting is decided in the affirmative, such remaining school district area shall be included within the coverage of the description in the annexation proposal and the annexation petition shall thereupon, without further notice, be considered amended to include all territory of the school district and s. 62.07 (1) shall be complied with for the entire area.

(4) If the vote at the school district referendum is negative, the annexation proceedings on the original petition may continue in the same manner as if less than 20 per cent of the district had been involved in the original petition.

Approved June 12, 1957.
