

Senate Bill 113

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CHAPTER 19

AN ACT to amend and repeal various provisions of the statutes, relating to the county superintendent of schools and the county textbook board.

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

SECTION 1. 17.01 (7) of the statutes is amended to read:

17.01 (7) By county clerk, county treasurer, coroner, district attorney, register of deeds, ~~or county surveyor or county superintendent of schools,~~ to the sheriff, who shall immediately transmit a notice thereof, in case of a coroner, district attorney or register of deeds, to the governor; ~~in case of a county superintendent of schools, to the state superintendent,~~ and in case of a county clerk, county treasurer or surveyor, to the chairman of the county board. And after such notices the sheriff shall file such resignations with the county clerk.

SECTION 2. 17.09 (3) of the statutes is repealed.

SECTION 3. 17.22 (3) of the statutes is repealed.

SECTION 4. 27.015 (4) of the statutes is amended to read:

27.015 (4) In each county there shall be a county rural planning committee. Such committee shall consist of the chairman of the county board, ~~and the chairman of the county highway committee, and the county superintendent of schools,~~ ex officio members, and 2 others, either men or women, to be appointed by such ex officio members. The chairman of the county board shall be chairman of such committee, ~~and in counties having more than one superintendent of schools, the superintendent to serve on such committee shall be designated by the chairman of the county board.~~

SECTION 5. 35.84 (line 60) of the statutes is repealed.

SECTION 6. 39.024 (2) (a) of the statutes is amended by deleting the phrase " , other than a county superintendent of schools, " .

SECTION 7. 39.03 (4) of the statutes is amended to read:

39.03 (4) The state superintendent shall file said order in his office, and shall cause copies thereof to be promptly delivered by mail or otherwise to the clerk of the proper school district ~~and, to the proper county or city superintendent school district administrator~~ and to the clerk of the municipality in which the building is located.

SECTION 8. The amendments made to section 40.025 (3) and (4) of the statutes by chapter 76 (Bill 169, A.), laws of 1963 were not repealed by chapter 565 (Bill 254, A.), laws of 1963. Both amendments stand.

SECTION 9. The amendment made to section 40.03 (1) (intro. par.) of the statutes by chapter 27 (Bill 91, A.), laws of 1963, was not repealed by chapter 565 (Bill 254, A.), laws of 1963. Both amendments stand.

SECTION 10. The amendment made to section 40.03 (5) of the statutes by chapter 436 (Bill 656, S.), laws of 1963, was not repealed by chapter 565 (Bill 254, A.), laws of 1963. Both amendments stand.

SECTION 11. 40.09 (2) (a) of the statutes is amended to read:

40.09 (2) (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; and 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 superintendent~~ *secretary of the county school committee* of the counties concerned within 5 days after the election.

SECTION 12. 40.12 (1) of the statutes is amended to read:

40.12 (1) A union high school district may be established in any territory with an equalized valuation of \$9,000,000 or more. At the time of filing the petition set forth in subs. (2) and (3), the petitioners shall submit to the state superintendent, *and* to the clerk of each town, village or city of each county in which territory comprising such proposed district lies, a legal description and map of the territory proposed to be included in the district. No election on the establishment of such district shall be held in such territory unless the state superintendent, after considering all relevant factors, has approved the same as a proper district to provide high school education. A copy of such description and map, with the approval of the state superintendent indorsed thereon, shall be submitted to the clerk of each town, village and city of each county within which territory comprising such proposed district lies. No union high school shall be established unless the high school census shows that at least 200 persons of school age, residents of the district, give evidence, satisfactory to the state superintendent, that they are prepared and desire to attend the public high school.

SECTION 13. The amendment made to section 40.27 (11) (a) of the statutes by chapter 163, section 8 (Bill 297, S.), laws of 1963, was not repealed by chapter 565 (Bill 254, A.), laws of 1963. Both amendments stand.

SECTION 14. 40.30 (12) and (15) of the statutes are amended to read:

40.30 (12) When the enrollment of a district increases to a number in excess of 30 pupils per room, the district board may on its own order provide for the education of a portion of the pupils on a tuition basis. The tuition shall be paid out of school district funds in accordance with s. 40.65 (3). For a period of 2 years after making such order a district shall continue to be entitled to aids on the same basis as though all children of school age included in such order residing in the district had been enrolled in the school of such district; provided the superintendent of public instruction ~~upon the recommendation of the county superintendent~~ may extend this period, from year to year, if he is satisfied on the basis of evidence pre-

sented to him that the district is unable because of constitutional limitations on debt to provide sufficient funds for the construction of additional school buildings, or that integration of the district with adjoining districts under the provisions of s. 40.03 of the statutes is being contemplated. Thereafter such district shall not be eligible for or receive aids until sufficient school building facilities are provided in the district to properly accommodate all of the resident children eligible to attend the school of such district.

(15) The board may purchase necessary books and stationery for keeping the records and for doing the business of the district in an orderly manner, and such equipment, books, school apparatus and heating and ventilating apparatus, as may be approved by the state superintendent ~~or by the county superintendent~~ for the use of schools, not exceeding \$600 in any one year, from any funds not otherwise appropriated, and such school books as in their judgment may be needed by pupils whose parents are not able to furnish the same. ~~Said~~ The limitation of \$600 in any one year shall not apply to school boards in districts maintaining a high school and at least one graded school.

SECTION 15. 40.44 (2) and (3) of the statutes are amended to read:

40.44 (2) The teacher in each common school shall enter in the school register the names, ages and studies of all pupils and their daily attendance, and such other facts as the ~~county superintendent~~ or state superintendent requires, which register the teacher shall deliver to the clerk at the close of each term, and whenever it is required for the use of the board. A standard loose-leaf pupil accounting record may be substituted for the school register.

(3) The teacher shall make a written report to the board ~~or to the county superintendent~~ concerning any matters relating to the school in such form or manner as the board ~~or superintendent~~ prescribes; and any teacher who neglects or refuses to so keep the register shall forfeit her wages during the time of such neglect or refusal.

SECTION 16. 40.50 (4) of the statutes is amended to read:

40.50 (4) Every school board, board of education, ~~or board of vocational education or textbook board~~ which has control over the textbooks used in any school shall cause every book which the state superintendent has found contains matter prohibited by this section to be withdrawn from use in such school prior to the opening of the school year following the publication of such finding. No state aid shall be paid for the support of any such school during any year in which any such textbook is used in such school after such finding.

SECTION 17. 40.77 (1) (b) of the statutes is amended to read:

40.77 (1) (b) This subsection does not apply to any child who is not in proper physical or mental condition to attend school (the certificate of a reputable physician in general practice shall be sufficient proof that a child is unable to attend school) nor to any child exempted for good cause by the school district board or board of education of the school district in which the child resides, ~~except that in the case of high school attendance, if the district in which the child resides does not operate a high school, by the county superintendent,~~ nor to any child who has completed the full 4-year high school course. Any child who has completed the first 8 grades of school work or the equivalent thereof may at his option attend a vocational and adult education school full time in lieu of attendance at any other school.

SECTION 18. 40.90 (2) (a) of the statutes is amended to read:

40.90 (2) (a) A certificate or common school diploma issued by a city ~~or county~~ superintendent *or school board* that the holder thereof has completed the course of study in the school district in which he resides, or one at least equivalent to the course of study provided by the state superintendent for the common schools, shall be evidence of the completion of the course of study required by this section. Such certificate or diploma or a certified copy thereof or a certified copy of a list of graduates shall be filed with the high school district clerk.

SECTION 19. 43.17 (1) and (2) of the statutes are amended to read:

43.17 (1) The state superintendent shall aid in promoting the establishment, maintenance and control of school libraries, and prescribe regulations for their management. He shall advise in the selection of books for such libraries and, as often as he deems necessary, prepare a list of books suitable therefor, and furnish copies of said list to each school concerned, and to each ~~county~~, district or city superintendent.

(2) The state superintendent may suspend the operation of the school library law in any school district or subdistrict containing a free public library, or which is located wholly or in part in any incorporated village or city containing a free public library, whenever the board of said free public library during the year ending June 30 next preceding the date of the application for suspension, has expended in the purchase of library books suitable for children in the elementary school grades a sum equal to the sum which would be released by the suspension of the school library law, as certified by the secretary of the free library commission; but the amount so expended by the said board of the free public library for any one year shall not be made the basis of such suspension for more than one year. The state superintendent shall give notice of such suspension to the clerk or secretary of the board of education of the school district affected, and to the ~~county~~, district or city superintendent, secretary of state and state treasurer.

SECTION 20. 43.22 (4) of the statutes is amended to read:

43.22 (4) The librarian shall keep a record of the books received for the library, and shall report to the ~~county~~, district or city superintendent, respectively, on blanks supplied by him, such information regarding the condition and needs of the school library as may be called for by such superintendent.

SECTION 21. 43.23 (1) of the statutes is amended to read:

43.23 (1) School library books belonging to one school district may be loaned by the school board of the district to the school board of another school district for use in the school library of that district, in consideration of school library books similarly loaned in exchange therefor. ~~County or district superintendents may arrange such exchanges and loans among the school districts in their jurisdiction upon mutual agreement by the school boards of the districts concerned.~~ A school district receiving books from another district under the provisions of this section shall be responsible for all losses sustained on account of books lost or damaged beyond ordinary wear and tear; and all books loaned or exchanged shall be returned to the school library of the district from which they have been loaned not later than 2 weeks before the close of the annual school term of said district.

SECTION 22. 45.44 (1) (a) 2 of the statutes is repealed.

SECTION 23. 59.87 (2) of the statutes is amended to read:

59.87 (2) If the county board of supervisors determines to establish a co-operative extension service, it shall create a committee on agriculture consisting of the chairman of the board and 3 or more other members of the board selected by the board. One of the members thus selected shall be a supervisor from a village or city and the vocation of a majority of the remaining members of the committee shall be agriculture in counties where membership with such qualifications is available. The county board may select as an additional member of the committee any ~~other~~ public school administrator resident in the county. The members of the committee on agriculture, including such additional member, if one has been selected, shall receive such compensation and expenses as the board determines under the authority of s. 59.15 (2) (c) and (3). The committee on agriculture shall meet at such intervals as is deemed necessary to properly carry out its functions and responsibilities.

SECTION 24. 59.997 (12) (intro. par.) of the statutes is amended to read:

59.997 (12) (intro. par.) Consolidation effected under this section shall not affect the county courts ~~or county superintendent of schools~~ of the several counties until the expiration of the terms of the respective county judges ~~and superintendents of schools~~ holding office at the time of consolidation.

SECTION 25. 59.997 (12) (b) of the statutes is repealed.

SECTION 26. 66.03 (11) (intro. par.) of the statutes is amended to read:

66.03 (11) (intro. par.) Whenever a transfer of territory from one school district to another results in a change in the name of a school district which is liable for one or more state trust fund loans secured under ch. 25, the clerk of the school district to which the territory was transferred shall, within 30 days of the effective date of such transfer, certify to the commissioners of the public lands, *and* the county clerk ~~and the county superintendent of schools~~:

SECTION 27. This act shall take effect on July 1, 1965.

Approved April 13, 1965.
