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Senate Bill 66

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CHAPTER 8, LAWS OF 1969

AN ACT to amend 25.06, 25.08 (1), 25.09 (2) (b) and (c), 25.12, 50.09 (2), 70.60 (1) and 70.63 (1) of the statutes, relating to loans to school districts.

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

SECTION 1. 25.06 of the statutes is amended to read:

25.06. If the application ~~shall be~~ is approved by ~~said~~ the commissioners they shall ~~forthwith~~ cause certificates of indebtedness to be prepared in proper form and transmitted to the municipality submitting the same. Every such certificate shall be executed and signed for a school district by its ~~director~~ president, for a town by its chairman, for a village by its president, for a city by its mayor, for a board of education by its president, and for a county by the chairman of its board, shall be counter-signed by the clerk of the municipality executing the same, returned to the commissioners, and deposited with the ~~secretary of state, who shall thereupon~~ department of revenue, which shall certify that fact to the ~~commissioner~~ department of administration. The department of administration ~~and he~~ shall thereupon draw ~~his~~ a warrant upon the state treasurer for the amount of ~~such~~ the loan, payable to the treasurer of the municipality making the loan or as he ~~may direct; and said~~ directs. The certificate of indebtedness shall then be conclusive evidence of the validity of such indebtedness and that all the requirements of law concerning the application for the making and acceptance of such loan have been complied with.

SECTION 2. 25.08 (1) of the statutes is amended to read:

25.08 (1) The ~~secretary of state~~ department of administration, upon information certified ~~to him~~ by the department of ~~administration~~ revenue, shall furnish a statement annually to the county clerk of each county in which any ~~such~~ special charge for principal or interest, is due or will become due in the next succeeding 12 months, a statement showing in detail the amounts due or to become due as aforesaid from the county and from any town, village or city therein. This statement shall detail the special charges due or to become due from the county and from any town, village or city in the county.

SECTION 3. 25.09 (2) (b) and (c) of the statutes are amended to read:

25.09 (2) (b) When such joint school district is composed of territory located in 2 or more counties the state superintendent shall transmit to the department of administration on or before each September 20 ~~in every year~~ a copy of the statements so certified by him to the county clerks of counties wherein such joint school district lies. The ~~secretary of state,~~ Upon information certified ~~to him~~ by the department of ~~administration,~~ revenue, the department of administration shall ~~in every year~~ annually furnish to the county clerk of each county in which lies any joint school district or part of a joint school district from which any such payment is to become due the total amount to be levied in his county upon such joint school district, at the same time that he certifies to that officer the state tax.

(c) The county clerk shall at the proper time after receiving such certificate from the ~~secretary of state~~ department of administration apportion the amount certified for collection to the proper towns and villages in accordance with the valuations certified to him by the state superintendent; but it shall be carried out in a separate column, and the district from which it is due shall be specified. The town clerk shall charge and carry out such amount in his tax roll to the district or part of the district to

which it belongs in a separate column, and the tax shall be collected and paid with and in the same manner as the state tax.

SECTION 4. 25.12 of the statutes is amended to read:

25.12 ~~In case~~ If any officer shall neglect or refuse ~~neglects or refuses~~ to perform any duty required of him by law in relation to the levy or collection of any tax required to be raised to make any payment of principal or interest on any loan from the state, the attorney general shall ~~forthwith~~ apply to the supreme court for a mandamus to compel the performance of such duty; and the ~~secretary of state~~ *department of revenue* may do or cause to be done the duty required of such officer and ~~so neglected or required to be done~~ with the same effect as if done by him.

SECTION 5. 50.09 (2) of the statutes is amended to read:

50.09 (2) On July 1, in each year, the ~~state board of health~~ *department of health and social services* shall prepare a statement of the amounts due from the several counties to the state, pursuant to law, for the maintenance, care and treatment of patients at public charge in county tuberculosis sanatoria. Such statements shall cover the preceding fiscal year and shall specify the name of every patient in each county institution whose support is wholly chargeable in the first instance to the state and partly chargeable over to some county; and shall further specify, with respect to each patient, his legal settlement, the number of weeks for which support is charged, the amount due the county for any recovery of maintenance, and the amount due to the state from such county. The ~~president and secretary of the board~~ *health and social services* shall certify the statement, file it with the department of administration and mail a duplicate to the clerk of each county charged; and thereupon the department of administration shall charge to the several counties the amount so due, which shall be certified by the ~~secretary of state, upon information certified to him~~ by the department of administration and levied, collected and paid into the state treasury as a special charge, with the state taxes, and the amount so paid into the state treasury on account of care of patients in county sanatoria shall be apportioned and paid to the respective counties to which it is due in the proportion that the total collections from all counties for the care of such patients ~~shall bear~~ *bears* to the total charges against all counties for such care. The department of administration shall make the first such apportionment and payment on April 1 in each year, covering collections to and including March 22. The collections made after March 22 and through August 20 shall be apportioned and paid on September 1 following, and the final payments shall be made on December 1.

SECTION 6. 70.60 (1) of the statute is amended to read:

70.60 (1) The department of administration shall compute the state tax chargeable against each county basing such computation upon the valuation of the taxable property of the county as determined by the department of ~~taxation~~ *revenue* pursuant to s. 70.57. On or before the ~~fourth~~ *4th* Monday of October in each year the ~~secretary of state, upon information which~~ the department of administration shall ~~timely furnish~~, shall certify to the county clerk of each county the amount of the taxes apportioned to and levied upon his county, and all special charges which he is required by law to make in any year to any such county to be collected with the state tax. He shall then charge to each county the whole amount of such taxes and charges, and the same shall be paid into the state treasury as provided by law.

SECTION 7. 70.63 (1) of the statute is amended to read:

70.63. (1) The county clerk shall apportion the county tax, including the tax for the support of common schools as provided for in s. 59.07 (21), and the whole amount of state taxes and charges levied upon his county, as certified by the ~~secretary of state~~ *department of administration*, among the several towns, cities and villages of the county, according and in proportion

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to the valuation thereof as determined by the county board; and shall carry out in the record book ~~as~~ ~~pre~~ ~~said~~, opposite ~~to~~ the name of each in separate columns, the amount of state taxes and charges and the amount of county taxes so apportioned thereto, and the amount of all other special taxes or charges apportioned or ordered, or which he is required by ~~any~~ law to make in any year to any such town, city or village, to be collected with such annual taxes; and within ~~ten~~ 10 days after the assessment of values by the county board he shall certify to the clerk of, and charge to each town, city and village, ~~excepting~~ *except* in cities of the ~~first~~ 1st class, the amount of ~~each~~ ~~and~~ all such taxes so apportioned to and levied upon the same, and shall, at the same time, file with the county treasurer a certified copy of the apportionment so certified by him to each town, village and city clerk.

Approved March 20, 1969.
