

Assembly Bill 578

Date published:
November 7, 1969

CHAPTER 195, LAWS OF 1969

AN ACT to repeal 117.01 (4) (d), 120.03 (3) (a) and (7), 120.04, 120.05 and 120.06 (1) (a) and (b); and to amend 117.01 (2) (a) and (4) (c), 120.02 (1) and 120.06 (1) (intro.) (2) to (4) of the statutes, relating to spring elections for all school board members.

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

SECTION 1. 117.01 (2) (a) of the statutes is amended to read:

117.01 (2) (a) Every order of school district reorganization shall state the school districts from which any territory is detached, describe such territory and indicate the territory included within the reorganized school district. When the order creates a new school district, the order also shall number the reorganized school district, name the school district according to the municipalities in which it is located, designate the number of school board members under s. 120.01, 120.42 or 120.72 and the method of election under s. ~~120.04, 120.05,~~ 120.06 or 120.43 and fix the time and place for the first annual meeting, if one is to be held. The secretary of the agency school committee with whom the order is filed shall give notice of the first annual meeting if one is to be held, under s. 120.08 (1) (c) and shall act or designate a person to act as temporary chairman of the annual meeting until a chairman is elected.

SECTION 2. 117.01 (4) (c) of the statutes is amended to read:

117.01 (4) (c) In creating a new common or union high school district, the order of school district reorganization shall direct the election of a school board under s. ~~120.04, 120.05 or~~ 120.06. ~~If the order directs the election under s. 120.05 or 120.06, the~~ The clerk of the town, village or city lying wholly or partially within the newly created school district in which the greatest number of electors reside shall act as clerk of the election and

declarations of candidacy shall be filed with him. He shall have charge of the election and shall conduct the election in accordance with municipal election procedures. The cost of conducting the election shall become a charge upon the new school district, and the school board of the new district shall pay all costs of the election.

SECTION 3. 117.01 (4) (d) of the statutes is repealed.

SECTION 4. 120.02 (1) of the statutes is amended to read:

120.02 (1) If, at least 30 days prior to a special school district meeting or to the day when school board members are elected in a common or union high school district, a petition requesting a change in the number of school board members is filed with the school district clerk signed by 100 electors residing in the school district, the school district clerk shall incorporate in the notice of the annual or special meeting or election a statement that at such meeting or election the question of changing the number of school board members to the number requested in the petition will be voted upon. ~~If such question is to be determined at an annual meeting at which school members are elected under s. 120.04, it shall be determined before the election of the school board members and the number of school board members shall be elected at that annual meeting and thereafter in accordance with sub. (3).~~ If, at a special meeting or at an election of school board members under s. 120.05 or 120.06, a resolution based on a petition requesting a change in the number of school board members is adopted, school board members shall be elected at the next school board election and thereafter in accordance with sub. (3).

SECTION 5. 120.03 (3) (a) and (7) of the statutes are repealed.

SECTION 6. 120.04 and 120.05 of the statutes are repealed.

SECTION 7. 120.06 (1) (intro.) of the statutes is amended to read:

120.06 (1) (intro.) In ~~a common or union high~~ every school district, the school board shall be elected at the spring election, ~~if the requirements of this subsection are met.~~

SECTION 8. 120.06 (1) (a) and (b) of the statutes are repealed.

SECTION 9. 120.06 (2) to (4) of the statutes are amended to read:

120.06 (2) No later than the ~~first Tuesday in February~~ *2nd Tuesday in January* prior to the spring election, the school district clerk shall publish notice of the school district election stating the time, place and manner of filing declarations of candidacy for the school board. No later than ~~the 3rd Tuesday in February 5 p.m. on the 4th Tuesday in January~~ prior to the spring election, a qualified elector may file a written declaration of candidacy with the school district clerk stating that he is a qualified elector. In the case of a 3-member school board he also shall state the office for which he is a candidate.

(3) Immediately upon the expiration of the time for filing declarations of candidacy, ~~but no later than 5 p.m. on the first Tuesday in February,~~ the school board shall verify the declarations of candidacy. If there are more than 2 candidates for any office on a 3-member school board or more than twice as many candidates as there are members to be elected to a school board of more than 3 members, the school board ~~may~~ shall require a primary election for such positions. The primary election shall be held at the time specified for the spring primary.

(4) The school district clerk shall notify the municipal clerk of each municipality lying wholly or partially within the school district of the primary election if one is to be held and of the spring election, furnish such clerks with a copy of the notice of the school board election and provide such clerks with an adequate supply of ballots for the primary and spring election. ~~The ballots shall be prepared in accordance with s. 120.05 (6).~~

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SECTION 10. In sections 120.02 (1) and (2) of the statutes the reference to s. "120.05 or" is deleted.

SECTION 11. This act shall not take effect until July 1, 1972.
Approved October 30, 1969.
