

CHAPTER 382

AN ACT to amend 66.03 (7); and to create 66.03 (2c), (2e), (11) and (12) of the statutes, relating to the apportionment of assets and liabilities of joint school districts.

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

SECTION 1. 66.03 (2c) and (2e) of the statutes are created to read:

66.03 (2c) JOINT SCHOOL DISTRICTS. When territory is transferred, in any manner provided by law, from one joint school district to another school district, there shall be assigned to each school district involved such proportion of the assets and liabilities of the joint school districts involved as the equalized valuation of all taxable property in the territory transferred bears to the equalized valuation of all the taxable property of the joint school district from which said territory is taken, said equalized valuation to be made by the department of taxation upon application by the clerk of the school district or city to which the territory is transferred. The clerk of any school district or city to which territory is transferred as aforesaid, within 30 days of the effective date of such transfer, shall certify to the clerk of the municipality from which such territory was transferred a metes and bounds description of the land area involved and upon receipt of such description the clerk of the municipality from which such territory was transferred shall certify to the supervisor of assessments of the department of taxation having jurisdiction over the land area involved, the latest assessed value of the real and personal property located within said area, and shall make such further reports as may be needed by such supervisor of assessments in the performance of duties required by law.

(2e) OPTIONAL METHOD OF ADJUSTMENT. Two or more school districts, prior to their consolidation, or the attachment of part of their district to another district, may, by identical resolutions adopted by a three-fourths vote of the members of each board concerned, establish an alternate method to govern any adjustment of their assets and liabilities to apply to any subsequent detachment from the enlarged district. The authority of this paragraph shall apply wherever the boards find that the adoption of the resolution is necessary to provide a more equitable method than provided in sub. (2) or (2c). This subsection shall also apply if one or more of the units involved operates under s. 40.80. The resolutions adopted shall be recorded in the office of the register of deeds.

SECTION 2. 66.03 (7) of the statutes is amended to read:

66.03 (7) The apportionment board shall determine, except in the case of public utilities, such assets and liabilities from the best information obtainable and shall assign to the municipality to which the territory is transferred its proper proportion thereof by assigning the excess of liabilities over assets, or by assigning any particular asset or liability to either municipality, or in such other manner as will best meet the requirements of the particular case. *When territory attached to a city for school purposes only is detached therefrom, the assets and liabilities of the city for school purposes shall be considered in apportioning the assets and liabilities and such territory may be assigned its proportionate share of the city's indebtedness for school purposes in the manner provided by sub. (2c).* If a proportionate share of any indebtedness existing by reason of municipal bonds or other obligations outstanding shall be assigned to any

municipality it shall cause to be levied and collected upon all the taxable property in such municipality in one sum or in annual instalments the amount necessary to pay the principal and interest thereon when the same shall become due, and shall pay the amount so collected to the treasurer of the municipality which issued said bonds or incurred such other obligations, who shall apply the moneys so received strictly to the payment of such principal or interest.

SECTION 3. 66.03 (11) and (12) of the statutes are created to read:

66.03 (11) DESIGNATING DISTRICTS. 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, the county clerk and the county superintendent of schools:

(a) The name of the school district from which territory was transferred;

(b) The effective date of such transfer;

(c) The name of the school district to which the transfer was made immediately prior to the effective date of the transfer;

(d) The name of the school district to which the transfer was made immediately after the effective date of such transfer.

Thereafter, in making their annual certifications of the amounts due on account of state trust fund loans the commissioners of the public lands shall use the new name of the school district, provided that any transfer of territory effective subsequent to May 1 of any year shall not be considered by them until the succeeding year.

(12) TIME OF TRANSFER. When the governmental classification of a school district is changed, all of the assets and liabilities and the title to all school property shall vest in the new district by operation of law upon the effective date of the change.

Approved July 18, 1957.