

CHAPTER 102

AN ACT to provide for the termination of the office of the county superintendent of schools, and for the disposal of properties, distribution of assets and liabilities, and the payment of compensation by counties or joint county education committees operating under section 39.06 (3), (3a) or (4), extended to December 31, 1965, for closing the office, disposing of materials, and making and filing proper records of disposition.

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

SECTION 1. The office of county superintendent of schools (or the joint county superintendency) shall continue intact in its operation until June 30, 1965. Disposition of the holdings of the county superintendent's office shall be made after June 30, 1965, but no later than December 31, 1965.

SECTION 2. (1) "County superintendent" means the former county superintendent of schools or, where appropriate, the former joint county superintendent of schools and includes any other educator employed as provided in SECTION 3 to perform the services authorized therein.

(2) "Governing committee", as used in this act for county superintendents operating only in one county, means the county board of supervisors governing under section 39.06 (4) of the statutes, as represented by its education committee as last constituted; for county superintendents operating in more than one county, it means the joint county education committee as last constituted under section 39.06 (3) and (3a) of the statutes. Notwithstanding chapter 565, laws of 1963, such governing committees shall continue to function after July 1, 1965, but not later than December 31, 1965, to perform the duties as provided in this act.

SECTION 3. (1) Because the county superintendent is well informed about the contents, value and best possible future use of professional materials in the office of the county superintendent by others associated with public education, the governing committee may retain the county superintendent and pay him for closing that office. The governing committee may provide secretarial help as needed. Proceeds from any assets, including revenue accruals or moneys received from the sale of equipment and other materials, may be used for this purpose. If the county superintendent is unavailable to perform the services specified herein, the governing committee may employ some other competent professional educator to perform such services. If so retained or so employed, the county superintendent or other educator may perform the functions authorized by this act.

(2) The county superintendent is also authorized to sign such reports and documents until December 31, 1965, as are requested by the state superintendent of public instruction.

(3) On July 1, 1965, the furniture and machines of the office of county superintendent shall be disposed of under the direction of the governing committee. For the purpose of disposing of the physical assets, tangible property, machines and any other assets, the governing committee shall remain in authority until all assets are liquidated or otherwise disposed of, income due the office is collected, bills are paid and proper records of termination are approved. Any state school aid or other revenue due

to the county shall be included in the assets. Such committee may make any other determinations necessary to the proper termination of the office of county superintendent.

(4) The governing committee may transfer any residue of money which derives from the discontinuance of the office of county superintendent after July 1, 1965, after all obligations are settled to any co-operative educational service agency. In any county in which a county handicapped children's education board operates under s. 41.01 (1m) and (1r), the governing committee may transfer any residue of money to the handicapped children's education board. The agreement made between the governing committee and the co-operative educational service agency or a handicapped children's education board shall indicate that the residue of money shall be used to benefit essentially those areas in municipalities on which it was previously levied.

(5) Except as provided in sub. (4), any residue of moneys shall be allocated according to equalized valuation and paid to the municipalities or parts thereof that constituted the service area of the county superintendency during the final taxing year. If the final residue consists of an amount less than 5 per cent of the last tax levied for the operation of the office for a full year, the governing committee may distribute the remaining funds to any school district, institution or agency in the state or local area whose primary function is public education.

(6) The total county board of supervisors of any county may loan to the governing committee for the county superintendent's department such moneys as are needed for the operation and closing of that office. When the office is closed, all anticipated revenues are accounted, assets are disposed of as provided herein and bills are paid, the governing committee may levy a tax on the territory which was last taxed to sustain the office to compensate the total county for any deficit that occurs.

(7) The county superintendent may distribute educational materials and equipment, records such as census, annual reports and examination records, and other educational materials not enumerated herein, to any co-operative educational service agency, handicapped children's education board, district schools or school offices that are concerned. He may place any books, records, maps or significant data or material in any local or state historical society, teacher training institution or other school of higher education.

(8) The governing committee may authorize the county superintendent to dispose of equipment and other property to school districts or other educational institutions, including any co-operative educational service agency or handicapped children's education board.

(9) All county school committee records shall be transferred by the county superintendent to the appropriate co-operative educational service agency.

(10) The county superintendent shall make a record of the assets and liabilities of the office as of July 1, 1965, and shall file a copy thereof with the chairman of the governing committee and with each county clerk concerned. Copies of the disposition of the educational records shall be filed with the chief administrator of every school district operating elementary and high school grades, union high school district, and district operating elementary grades having 5 or more professional employes in the area served by the county superintendent. Records for districts with less than 5 professional employes shall be transmitted to the co-operative educational service agency concerned.

(11) Services performed in closing the office and making proper disposition of its contents shall be considered teaching under the Wisconsin teachers' retirement law at the option of the person so employed.

Approved June 15, 1965.