

1979 Assembly Bill 975

Date published: May 2, 1980

CHAPTER 173, Laws of 1979

AN ACT to amend 117.08, 120.05 (3), 120.11 (1) and 120.15 (5); and to repeal and recreate 120.05 (1) of the statutes, relating to remedial legislation affecting the statutes concerning school district reorganization and the election of school board officers (suggested as remedial legislation by the department of public instruction).

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

SECTION 1. 117.08 of the statutes is amended to read:

117.08 Attachment of small parcels. The owner of an individual parcel of property adjoining the boundaries of 2 school districts may file a written petition with the school boards of the districts requesting that such parcel be detached from its present school district and attached to the adjoining school district. Each school district receiving a petition under this section immediately shall send a copy of the petition to the secretary of the agency school committee of each ~~co-operative~~ cooperative educational service agency in which the school district lies. At least 20 days before any such transfer is authorized, notice of the proposed transfer, with a description of the property proposed to be transferred, shall be published as a class 1 notice, under ch. 985, in the school districts affected by the proposed transfer. The school boards may detach the property from its present school district and attach it to the adjoining school district by a resolution adopted by a majority of the members of each school board. The resolution shall constitute an order of school district reorganization, shall describe the territory transferred, shall be filed as required by s. 117.01 (2) (c) and shall take effect on July 1 next following its adoption. Failure Action by either school board denying the petition or failure to act on the petition within 60 days after its filing constitutes denial of the petition and termination of jurisdiction.

SECTION 2. 120.05 (1) of the statutes is repealed and recreated to read:

120.05 (1) (a) The members of a school board shall be the officers of a school district.

(b) In the case of a 3-member school board, the school district president, treasurer and clerk shall constitute the school board. At the first election of a 3-member school board, the clerk shall be elected for a one-year term, the treasurer for a 2-year term and the president for a 3-year term.

(c) In the case of a school board with more than 3 members, the school board shall annually elect a school district president, vice president, treasurer and clerk from among its members at a school board meeting held on or within 30 days after the 4th Monday in April.

SECTION 3. 120.05 (3) of the statutes is amended to read:

120.05 (3) If the school district president, ~~school district vice president~~, treasurer or ~~school district~~ clerk of any school board is unable to discharge the duties of the office due to disability or absence from the school district, the school board may appoint a person to discharge the duties of such person until the disability or absence no longer exists. In the case of a 3-member school board the appointee shall be an elector of the school district. In the case of a larger school board the appointee for the president shall be the vice president and the appointee for the other officers shall be another school board member. The school board shall determine the compensation of such appointees. A person acting as school district clerk or school district treasurer shall have the powers of a deputy and shall take and file an official bond covering the person's acts unless the bond of such officer includes a bond for the officer's deputy. This subsection does not apply to vacancies caused by absence from the school district for a period exceeding 60 days covered by s. 17.03 (4).

SECTION 4. 120.11 (1) of the statutes is amended to read:

120.11 (1) The school board in a common or union high school district shall hold a regular meeting at least once each month at a time and place determined by the school board and may hold special school board meetings under sub. (2). A majority of the elected school board members constitute a quorum at a regular or special school board meeting. The school district president shall preside at school board meetings ~~and, in his~~. In the president's absence, the school district vice president shall preside or, in the case of a 3-member board, the school board may select another school board member to preside. The school district clerk shall record the minutes of school board meetings and, in his or her absence, the school board may select another school board member to act as the clerk of the meeting.

SECTION 5. 120.15 (5) of the statutes is amended to read:

120.15 (5) Act as ~~chairman~~ chairperson of school board meetings and see that minutes of the meetings are properly recorded, approved and signed. In the absence of the president, the vice president or, in the case of a 3-member board, another school board member selected by the school board, shall act as chairperson of school board meetings.
