

1985 Assembly Bill 710

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## 1985 Wisconsin Act 225

AN ACT *to repeal* subchapter III (title) of chapter 120, 24.60 (1), 24.66 (3) (b), 40.05 (2) (h), 60.24 (3) (t), 62.075 (6), 62.23 (12), 64.10 (3), 66.021 (7) (c), 66.023, 66.03 (2f), 66.03 (7a) (title), 66.30 (6) (e), 67.03 (1) (a), 117.043, 117.045, 119.47 (2), 120.40 to 120.48, 120.49 (intro.) and (1) to (5), 120.49 (7) to (13), (15) and (16), 120.50 to 120.53, 120.54 (title), 120.55 to 120.58, 120.61 (5), 120.71 (title) and 120.73 (1) (e) and (2); *to renumber* 24.66 (3) (c), 66.03 (7a), 120.61 (title), 120.70, 120.71 (2), 120.73 (title), 120.73 (1) (b) to (d), 120.74 (title), 120.74 (3) and (4), 120.75 (title) and 120.75; *to renumber and amend* 17.26 (2m), 66.03 (2c), 66.03 (2e), 66.03 (7), 67.12 (12) (aa), 120.49 (6), 120.49 (14), 120.54, 120.61 (1) to (4), 120.61 (6), 120.61 (7), 120.71 (1), 120.72, 120.73 (1) (a) and 120.74 (1) and (2); *to amend* subchapter II (title) of chapter 120, 5.58 (1g) (a), 5.60 (3) (intro.), 5.60 (4) (a), 7.53 (3), 8.11 (2), 11.02 (7), 17.26 (intro.) and (1), 19.21 (6), 24.63 (1), 24.66 (4), 40.02 (28), 43.58 (2), 62.09 (1) (a), 62.09 (12) (a), 62.12 (1) and (2), 64.10 (title) and (2), 64.29 (6), 64.36 (4), 65.90 (5) (a), 66.03 (2m) and (3) (b), 66.042 (3), 66.19 (1), 66.199, 66.30 (2m) (b), 66.30 (6) (a) 2, 67.01 (5), 67.03 (4) to (6), 67.05 (7) (b), 73.10 (5), 87.01 (6), 115.001 (7) and (10), 115.01 (3), 117.01 (4) (b) 4, 117.035 (1) (a) and (c), (2) and (3), 117.07 (title), (1) and (2) (a), 119.04 (1), 119.42 (1), 119.47 (1), 120.12 (3) (b), 120.17 (8) (c), 121.06 (1), 121.54 (1), 121.54 (2) (c), 779.14 (1), 801.11 (4) (a) 6 and 985.05 (3); and *to repeal and recreate* 65.07 (1) (g) of the statutes, *relating to* reconciling the statutes pertaining to elementary and secondary schools with the elimination of city school districts.

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

SECTION 1. 5.58 (1g) (a) of the statutes is amended to read:

5.58 (1g) (a) There shall be a separate ballot for city school district officers when so required. ~~Officers elected under s. 120.44 (2) (a) may be placed on the same ballot as other city officers.~~

SECTION 2. 5.60 (3) (intro.) of the statutes is amended to read:

5.60 (3) CITY. (intro.) There shall be a separate ballot giving the names of all candidates for city ~~and school~~ offices, ~~except under sub. (4)~~, printed in the

same form as prescribed by the board under s. 7.08 (1) (a). City election ballots may vary in form to conform to the law under which an election is held.

SECTION 3. 5.60 (4) (a) of the statutes is amended to read:

5.60 (4) (a) There shall be a separate ballot for city school district officers when so required. ~~Officers elected under s. 120.44 (2) (a) may be placed on the same ballot as other city officers.~~

SECTION 4. 7.53 (3) of the statutes is amended to read:

7.53 (3) SCHOOL DISTRICT ELECTIONS. (a) In city a common, union high or unified school districts ~~and~~

district, the school district clerk shall prepare a written statement and determination of the results of each election and referendum and file them in the school district office. The school district clerk shall certify nominations after each primary and issue certificates of election to persons who are elected to the school board after each election in the manner provided in sub. (4).

(b) In a 1st class city school districts organized under ch. 119 district, the municipal board of canvassers or election commissioners shall determine the results of school district elections and referenda and shall file a written statement and determination of the results for each election and referendum in the office of the city clerk or board of election commissioners. In other school districts, the school district clerk shall prepare a written statement and determination of the results of each election and referendum and shall file them in the school district office. The board of election commissioners, or city clerk or school district clerk shall certify nominations after each primary and shall issue certificates of election to persons who are elected to the board of school directors or school board after each election in the manner provided in sub. (4).

SECTION 5. 8.11 (2) of the statutes is amended to read:

8.11 (2) MILWAUKEE COUNTY. A primary shall be held in counties having a population of 500,000 or more whenever there are more than twice the number of candidates to be elected to any judicial office within the county or to the county board of supervisors from any one district. ~~A primary shall be held in municipalities in counties having a population of 500,000 or more whenever there are more than twice the number of candidates to be elected to the board of education from any given area except in 1st class cities.~~

SECTION 6. 11.02 (7) of the statutes is amended to read:

11.02 (7) If the jurisdiction under sub. (3) or (6) is a school district, the appropriate clerk is the ~~city clerk in the case of a city school district. In the case of any other school district, the appropriate clerk is the~~ school district clerk.

SECTION 7. 17.26 (intro.) and (1) of the statutes are amended to read:

17.26 (title) Vacancies in school boards; how filled. (intro.) Except as provided in s. 9.10, vacancies in a ~~school district boards and boards of education operating under the general law or under special charters board~~ shall be filled as follows:

(1) ~~In the case of a common, city, joint city, union high or unified and union high school districts district,~~ by appointment by the remaining members. ~~Such appointees~~ Each appointee shall hold office until a successor is elected and takes office under s. 120.06 (4), ~~120.43 (6) or 120.73 (1)~~ 120.42 (2). When a vacancy occurs in the office of a board member who is in the last year of his or her term, or when a vacancy

occurs after the spring election but on or before the last Tuesday in November in the office of a board member who is not in the last year of his or her term, the successor shall be elected at the next spring election. When a vacancy occurs after the last Tuesday in November and on or before the date of the next spring election in the office of a board member who is not in the last year of his or her term, the successor shall be elected at the 2nd following spring election.

SECTION 8. 17.26 (2m) of the statutes is renumbered 17.26 (2) and amended to read:

17.26 (2) ~~In the case of a 1st class city school district organized under ch. 119,~~ by special election as provided under s. 119.08 (4).

SECTION 9. 19.21 (6) of the statutes is amended to read:

19.21 (6) ~~Any A~~ school district, except a 1st class city school district or a school district in a 1st class city, may provide for the destruction of obsolete school records. Prior to any such destruction, at least 60 days' notice in writing of such destruction shall be given to the historical society, which shall preserve any such records it determines to be of historical interest. The historical society may, upon application, waive the notice. The period of time a school district record shall be kept before destruction shall be not less than 7 years, unless a shorter period is fixed by the public records and forms board under s. 16.61 (3) (e) and except as provided under sub. (7). This section ~~shall~~ does not apply to pupil records under s. 118.125.

SECTION 10. 24.60 (1) of the statutes is repealed.

SECTION 11. 24.63 (1) of the statutes is amended to read:

24.63 (1) MUNICIPAL LOANS OTHER THAN TO SCHOOL DISTRICTS. State trust fund loans, other than those to school districts, may be made for any term not exceeding 20 years, may be made payable in instalments and shall be in an amount which does not, in connection with all other indebtedness of the municipality applying for the loan, exceed 5% of the valuation of the taxable property within the municipality as equalized for state purposes, ~~except that for any city which is authorized to issue bonds for school purposes the debt limitation shall not exceed an additional 10% of the average of the value of the property in that city and in the territory attached to the city for school purposes as equalized for state purposes.~~ If a state trust fund loan is made to pay off existing indebtedness, it may be advanced to the borrower in instalments as fast as the indebtedness or the evidence of indebtedness is canceled.

SECTION 12. 24.66 (3) (b) of the statutes is repealed.

SECTION 13. 24.66 (3) (c) of the statutes is renumbered 24.66 (3) (b).

SECTION 14. 24.66 (4) of the statutes is amended to read:

24.66 (4) POPULAR VOTE, WHEN REQUIRED. If any municipality is not empowered by law to incur indebtedness for a particular purpose without first submitting the question to its electors, the application for a state trust fund loan for that purpose must be approved and authorized by a majority vote of the electors at a special election called, noticed and held in the manner provided for other special elections. The notice of the election shall state the amount of the proposed loan and the purpose for which it will be used. ~~This subsection does not apply to loans made to a city or joint city school district applying as provided in sub. (3) (b).~~

SECTION 15. 40.02 (28) of the statutes, as affected by 1985 Wisconsin Act 29, is amended to read:

40.02 (28) "Employer" means the state, including each state agency, and any county, city, village, town, school district ~~or any~~ other governmental unit or any instrumentality of 2 or more units of government now existing or hereafter created within the state, except as provided under ss. 40.51 (7) and 40.61 (3). ~~A city school district shall be considered a separate employer.~~ Each employer shall be a separate legal jurisdiction for OASDHI purposes.

SECTION 16. 40.05 (2) (h) of the statutes is repealed.

SECTION 17. 43.58 (2) of the statutes is amended to read:

43.58 (2) The library board shall audit and approve all vouchers for the expenditures of the public library and forward ~~such the~~ vouchers or schedules covering the same, setting forth the names of claimants, the amounts of each claim and the purpose for which expended, to the municipal clerk or, in the case of a school district acting under s. 43.52, the school board district clerk, with a statement thereon, signed by the library board secretary or other designee of the library board, that the expenditure has been incurred and that the library board has audited and approved the bill. The municipal or school board district clerk shall thereupon draw an order upon the treasurer, and the same order shall be paid as other municipal orders are paid as provided by s. 66.042 ~~or, where appropriate, s. 120.54.~~

SECTION 18. 60.24 (3) (t) of the statutes is repealed.

SECTION 19. 62.075 (6) of the statutes is repealed.

SECTION 20. 62.09 (1) (a) of the statutes is amended to read:

62.09 (1) (a) The officers shall be a mayor, treasurer, clerk, comptroller, attorney, engineer, one or more assessors unless the city is assessed by a county assessor under s. 70.99, one or more constables as determined by the common council, a health commissioner or board of health, street commissioner, a board of police and fire commissioners, except in cities where not applicable, chief of police, chief of the fire department, a board of public works, ~~a board of education or of school commissioners, except in cities~~

~~where not applicable~~, 2 aldermen from each aldermanic district, and such other officers or boards as are created by law or by the council. If one alderman from each aldermanic district is provided ~~pursuant to~~ under s. 66.018 (1), the council may, by ordinance adopted by a two-thirds vote of all its members and approved by the electors at ~~the a~~ a general or special election, provide that there shall be 2 aldermen from each aldermanic district.

SECTION 21. 62.09 (12) (a) of the statutes is amended to read:

62.09 (12) (a) ~~Except as provided in s. 120.49 (12),~~ The attorney shall conduct all the law business in which the city is interested.

SECTION 22. 62.12 (1) and (2) of the statutes are amended to read:

62.12 (1) FISCAL YEAR. The calendar year shall be the fiscal year ~~except that the school year as defined in s. 115.001 (13) shall be the fiscal year for school districts operating under ch. 119 or subch. II of ch. 120.~~

(2) BUDGET. Annually on or before October 1, each officer or department shall file with the city clerk an itemized statement of disbursements made to carry out the powers and duties of ~~such the~~ officer or department during the preceding fiscal year, and a detailed statement of the receipts and disbursements on account of any special fund under the supervision of ~~such the~~ officer or department during ~~such the~~ year, and of the condition and management of ~~such the~~ fund; ~~also and~~ detailed estimates of the same matters for the current fiscal year and for the ensuing fiscal year; ~~except that such statements and estimates shall be reported to the city clerk on or before the 4th Monday in July of each year by the board of school directors of the public schools operating under ch. 119, and on or before the 4th Monday in July of each year by the school board of school districts operating under subch. II of ch. 120.~~

SECTION 23. 62.23 (12) of the statutes is repealed.

SECTION 24. 64.10 (title) and (2) of the statutes are amended to read:

**64.10 (title) City departments, boards and commissions.**

(2) All administrative boards and commissions existing in ~~such the~~ city prior to its reorganization shall continue to exist after its reorganization under ~~ss. 64.01 to 64.15 this subchapter~~ until abolished, altered or reorganized by ordinance of the council. ~~The council shall have power upon may, upon receipt of the report and recommendation of the city manager to, alter, reorganize or abolish by ordinance any administrative board or commission with the exception of except the board of education and the board of police and fire commissioners. Each such city not having a board of police and fire commissioners shall provide for the organization of such a board under the provisions of s. 62.13 within 30 days after June 21, 1933.~~

SECTION 25. 64.10 (3) of the statutes is repealed.

SECTION 26. 64.29 (6) of the statutes is amended to read:

64.29 (6) ~~Upon~~ On the first Tuesday in May following the reorganization of any city as provided for in ss. 64.25 to 64.40 under this subchapter, and annually thereafter, the council shall select from among ~~their number someone~~ its members a person to act as a member of each of ~~such the city's~~ boards and commissions, including the board of education. ~~Such members so.~~ Each member selected shall have all the power and authority vested by law in any other member of ~~such the~~ board or commission, and shall serve as a member thereof so long as he ~~shall remain or she remains~~ in office or until the council selects ~~his a~~ successor.

SECTION 27. 64.36 (4) of the statutes is amended to read:

64.36 (4) All boards and commissions in any 2nd class city of the 2nd class under the commission form of government shall continue to be elected or appointed as provided by law at the time when ~~said the~~ city adopted ~~such the~~ commission form, and shall continue to have and exercise all the authority they then possessed. Any ~~such~~ board or commission, ~~excepting the board of education and~~ except the board of police and fire commissioners, may be dispensed with or changed in membership by a vote of the people held in the manner provided by s. 9.20.

SECTION 28. 65.07 (1) (g) of the statutes is repealed and recreated to read:

65.07 (1) (g) A school extension fund, as constituted and for the purposes specified in s. 119.47.

SECTION 29. 65.90 (5) (a) of the statutes is amended to read:

65.90 (5) (a) Except as provided in par. (b) and except for alterations made pursuant to a hearing under sub. (4), the amount of tax to be levied or certified, the amounts of the various appropriations and the purposes for such appropriations stated in a budget required under sub. (1) may not be changed unless authorized by a vote of two-thirds of the entire membership of the governing body of the municipality, ~~except that in the case of a city board of education transfers may be authorized by a two-thirds vote of the board for funds under the board's control.~~ Any municipality, except a town, which makes changes under this paragraph shall publish a class 1 notice thereof, under ch. 985, within 10 days after any change is made. Failure to give ~~such~~ notice shall preclude any changes in the proposed budget and alterations thereto made under sub. (4).

SECTION 30. 66.021 (7) (c) of the statutes is repealed.

SECTION 31. 66.023 of the statutes is repealed.

SECTION 32. 66.03 (2c) of the statutes is renumbered 66.03 (2c) (a) and amended to read:

66.03 (2c) (a) (title) *Standard procedure.* 1. When territory is transferred in any manner provided by law, from one school district to another ~~school district,~~

there shall be assigned to each school district involved such proportion of the assets and liabilities of the 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 school district from which ~~said the~~ territory is taken, ~~said.~~ The equalized valuation to shall be made certified by the department of revenue upon application by the clerk of the school district ~~or city~~ to which the territory is transferred.

2. The clerk of any school district ~~or city~~ to which territory is ~~so~~ transferred, within 30 days of the effective date of ~~such the~~ transfer, shall certify to the clerk of the municipality from which ~~such the~~ territory was transferred a metes and bounds description of the land area involved ~~and upon.~~ Upon receipt of ~~such the~~ description the clerk of the municipality from which ~~such the~~ territory was transferred shall certify to the department of revenue the latest assessed value of the real and personal property located within the transferred territory, ~~and shall~~ file one copy of the certification with the school district clerk and one copy with the department of public instruction, ~~and shall~~ make such further reports as are needed by the department of revenue in the performance of duties required by law.

SECTION 33. 66.03 (2e) of the statutes is renumbered 66.03 (2c) (b) and amended to read:

66.03 (2c) (b) (title) *Alternative procedure.* 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 school board concerned, establish an ~~alternate~~ alternative 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~~ applies wherever the boards find that the adoption of the resolution is necessary to provide a more equitable method than is provided in ~~sub. (2) or (2e).~~ This subsection shall also apply if one or more of the units involved operates under subch. II of ch. 120 par. (a). The resolutions shall be adopted no later than 120 days after the effective date of the transfer of territory and may be adopted prior to the transfer. The resolutions adopted shall be recorded in the office of the register of deeds.

SECTION 34. 66.03 (2f) of the statutes is repealed.

SECTION 35. 66.03 (2m) and (3) (b) of the statutes are amended to read:

66.03 (2m) ATTACHMENT AND DETACHMENT WITHIN 5 YEARS. Whenever territory is attached to or consolidated with a school district ~~or a city operating a city school district,~~ and ~~such the~~ territory or any part thereof is detached therefrom within 5 years after ~~such the~~ attachment or consolidation, the school district ~~or city~~ to which it is transferred shall be entitled, in the apportionment of assets and liabilities, only to the assets or liabilities or proportionate part thereof

apportioned to the school district ~~or city~~ as the result of such the original attachment or consolidation.

(3) (b) The right to possession and control of school buildings and school sites shall pass to the ~~municipality school district~~ in which ~~the same~~ they are situated immediately upon the ~~annexation attachment~~ or detachment of any school district territory to ~~another municipality~~ becoming effective, except that in ~~cities of the first 1st class city school districts~~ the right to possession and control of such school buildings and school sites shall pass on July 1 following the adoption of the ordinance authorized by s. 66.021 (7). ~~The municipality thus receiving possession and control asset value of said school buildings and school sites shall be liable to the school district from which the same is annexed or detached for its share of the value of the use thereof, which shall be determined at the time of adjustment of assets and liabilities. The municipality annexing the territory shall provide school facilities for the children residing in the remainder of the school district pending the adjustment of assets and liabilities on payment of tuition based on the per capita cost of instruction.~~

SECTION 36. 66.03 (7) of the statutes is renumbered 66.03 (7) (a) and amended to read:

66.03 (7) (a) The apportionment board shall determine, ~~except in the case of~~ for 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. (2e).~~

(b) If a proportionate share of any indebtedness existing by reason of municipal bonds or other obligations outstanding ~~shall be~~ is assigned to any municipality ~~it, that municipality shall cause to be levied and collected upon all the its 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 the bonds or incurred such other the obligations, who.~~ The treasurer shall apply the moneys so received strictly to the payment of such principal ~~or~~ and interest.

SECTION 37. 66.03 (7a) (title) of the statutes is repealed.

SECTION 38. 66.03 (7a) of the statutes is renumbered 66.03 (7) (c).

SECTION 39. 66.042 (3) of the statutes is amended to read:

66.042 (3) Except as provided in subs. (2), (3m) and (5), disbursements of the county, city, village, town or school district funds from demand deposits shall be by draft or order check and withdrawals from savings or time deposits shall be by written transfer order. Written transfer orders may be executed only for the purpose of transferring deposits to an authorized depository of the public depository in the same or another authorized public depository. The transfer shall be made directly by the public depository from which the withdrawal is made. No draft or order check issued under this subsection may be released to the payee, nor is the draft or order check valid, unless signed by the clerk and treasurer. No transfer order is valid unless signed by the clerk and the treasurer. Unless otherwise directed by ordinance or resolution adopted by the governing body, a certified copy of which shall be filed with each public depository concerned, the chairperson of the county board, mayor, village president, town chairman or ~~director or president~~ of the school district president, as the case may be, shall countersign all drafts or order checks and all transfer orders. The governing body may also, by ordinance or resolution, authorize additional signatures. In lieu of the personal signatures of the clerk and treasurer and such other signature as may be required, the facsimile signature adopted by the person and approved by the governing body concerned may be affixed to the draft, order check or transfer order. The use of a facsimile signature does not relieve any official from any liability to which the official is otherwise subject, including the unauthorized use of the facsimile signature. Any public depository shall be fully warranted and protected in making payment on any draft or order check or transferring pursuant to a transfer order bearing a facsimile signature affixed as provided by this subsection notwithstanding that the facsimile signature may have been placed thereon without the authority of the designated persons.

SECTION 40. 66.19 (1) of the statutes is amended to read:

66.19 (1) Any city or village may proceed under s. 61.34 (1), 62.11 (5) or 66.01 to establish a civil service system of selection, tenure and status, and the system may be made applicable to all municipal personnel except the chief executive and members of the governing body, members of boards and commissions including election officials, ~~the teaching staff of the city school district~~, employes subject to s. 62.13, members of the judiciary and supervisors. ~~In the case of~~ For veterans there shall be no restrictions as to age, and veterans shall be given preference points in accordance with s. 230.16 (7). ~~Such~~ The system may also include uniform provisions in respect to attendance, leave regulations, compensation and payrolls for all personnel included thereunder. The governing body of any city or village adopting a civil service sys-

tem under this section may exempt therefrom the librarians and assistants subject to s. 43.09 (1).

SECTION 41. 66.199 of the statutes is amended to read:

**66.199 Automatic salary schedules.** Whenever the governing body of any city or village by ordinance adopts a salary schedule for some or all employes and officers of ~~such the city and or~~ village, other than those subject to s. 120.49 and members of the city council or village board, ~~such the salary schedule~~ may include an automatic adjustment for some or all of ~~such the~~ personnel in conformity with fluctuations upwards and downwards in the cost of living, notwithstanding ss. 61.32, 62.09 (6) and 62.13 (7), ~~except that s. 62.13 (7) shall be applicable if such automatic adjustment reduces basic salaries in effect January 1, 1940.~~

SECTION 42. 66.30 (2m) (b) of the statutes is amended to read:

66.30 (2m) (b) A group of school boards, boards of education or boards of school directors districts, if so authorized by each school board, may form a non-profit-sharing corporation to contract with the state or the university of Wisconsin system for the furnishing of the services specified in par. (a).

SECTION 43. 66.30 (6) (a) 2 of the statutes is amended to read:

66.30 (6) (a) 2. "School district" means a common, union high, unified or 1st class city school district, ~~or a school district organized under ch. 119.~~

SECTION 44. 66.30 (6) (e) of the statutes is repealed.

SECTION 45. 67.01 (5) of the statutes is amended to read:

67.01 (5) "Municipality" ~~includes~~ means a county, city, village, town, ~~common school district, union high school district, unified school district, whether any such district is joint or otherwise, a board of education, a board of park commissioners, a vocational, technical and adult education district, a metropolitan sewerage district created under ss. 66.20 to 66.26 or 66.88 to 66.918, a town sanitary district, a public inland lake protection and rehabilitation district and any other public body empowered to borrow money and issue obligations to repay the same money~~ out of public funds or revenues.

SECTION 46. 67.03 (1) (a) of the statutes is repealed.

SECTION 47. 67.03 (4) to (6) of the statutes are amended to read:

67.03 (4) The last determination made by the department of revenue of the full value of the taxable property in any municipality, ~~including cities with territory attached for school purposes,~~ under this section or s. 70.57 or 121.06 (1), shall be the value equalized valuation of such the taxable property as equalized for state purposes.

(5) (a) When the last determination made by the department of revenue of the full value of the taxable property in a ~~city authorized to issue bonds for school purposes, including territory attached to such city for school purposes, or in a school district or other municipality~~ is not a true valuation of the taxable property therein because of a change in the territory thereof, the department of revenue, upon application in writing by the municipal clerk of ~~such city or school district or other municipality,~~ in such form as the department prescribes, shall increase or decrease the last determination in such amount as in the best judgment of the department makes proper adjustment for the change in territory, and the resulting adjusted valuation shall ~~thereupon constitute~~ be the value equalized valuation of the taxable property in ~~such city, city and attached territory, school district or other the~~ municipality as equalized for state purposes.

(b) When a new ~~city authorized to issue bonds for school purposes or a new school district or other~~ municipality has been formed for which no determination of the full value of the taxable property therein, ~~including territory attached for school purposes,~~ has been made by the department of revenue, upon application in writing by the municipal clerk of ~~such city, school district or other municipality,~~ in such form as the department prescribes, ~~the department~~ shall determine according to its best judgment from all sources of information available to it the full value of the taxable property in ~~such city, city and attached territory, school district or other the~~ municipality which, and the resulting valuation shall ~~thereupon constitute~~ be the value equalized valuation of the taxable property in ~~such city, city and attached territory, school district or other the~~ municipality as equalized for state purposes.

(6) The department of revenue may certify to the clerk of any ~~city authorized to issue bonds for school purposes, or of any school district, or of any other~~ municipality; the full value of the taxable property of such city, ~~including territory attached for school purposes, or school district or other the~~ municipality as equalized for state purposes, when ~~such the equalized~~ valuation is requested for use in connection with ~~the municipal borrowing of money by such city, school district or other municipality.~~

SECTION 48. 67.05 (7) (b) of the statutes is amended to read:

67.05 (7) (b) An initial resolution adopted by the ~~common a~~ city council of ~~any city~~ for an issue of bonds for purposes specifically enumerated in sub. (5) need not be submitted to the electors under sub. (5), unless within 30 days after the recording thereof there ~~shall be~~ is filed in the office of the city clerk a petition requesting such submission, signed by electors numbering at least 10% of the votes cast for governor in the city at the last general election ~~or in the case of adoption by the common council of an initial resolution for an issue of bonds for school purposes for a~~

~~joint city school district, the number of electors required on the petition shall be at least 10% of the votes cast for governor in the school district in the last general election, as determined under s. 115.01 (13). If such the petition is filed, proceedings shall be had under sub. (5). But, but any such initial resolution may, in the discretion of the city council, by separate recorded resolution, be submitted to popular vote without waiting for the filing of the a petition.~~

SECTION 49. 67.12 (12) (aa) of the statutes is renumbered 67.12 (12) (b) and amended to read:

67.12 (12) (b) A school board of any newly created school district, ~~including a common school district or unified school district created upon abolition of a city school district,~~ or a vocational, technical and adult education district board may, pursuant to this section, issue promissory notes to refund any indebtedness assumed by ~~such school~~ the district upon its creation.

SECTION 50. 73.10 (5) of the statutes, as affected by 1985 Wisconsin Act 29, is amended to read:

73.10 (5) The department may inquire into the system of accounting of public funds in use by towns, villages, cities, counties and all other local public bodies, boards, commissions, departments or agencies except vocational, technical and adult education districts, ~~and school districts and boards of education;~~ devise a system of accounts which is as nearly uniform as practicable; and audit the books of the town, village, city, county or other local public body, board, commission, department or agency, or any municipal electric utility upon its own motion.

SECTION 51. 87.01 (6) of the statutes is amended to read:

87.01 (6) "Public ~~corporations~~ corporation" means any county, town, village, city, school district, ~~consolidated district, state graded school district, free high school district, union free high school district, whether any such district is joint or otherwise, board of education,~~ board of park commissioners and any other public body empowered to hold property, borrow money or levy taxes.

SECTION 52. 115.001 (7) and (10) of the statutes are amended to read:

115.001 (7) SCHOOL BOARD. "School board" means the school board or board of ~~education~~ school directors in charge of the schools of a school district.

(10) SCHOOL DISTRICT CLERK. "School district clerk" means the school district clerk of a 3-member school board elected by the electors in a common or union high school district ~~and,~~ the school district clerk elected by the school board in a unified school district, in a city school district and in a, common or union high school district having a school board of more than 3 members and the secretary-business manager in a 1st class city school district.

SECTION 53. 115.01 (3) of the statutes is amended to read:

115.01 (3) SCHOOL DISTRICTS. The school district is the territorial unit for school administration. School districts are ~~elassed~~ classified as common school districts, union high school districts, unified school districts, and 1st class city school districts ~~and school systems organized pursuant to ch. 119.~~ A joint school district is a school district whose one the territory of which is not wholly in one municipality.

SECTION 54. 117.01 (4) (b) 4 of the statutes is amended to read:

117.01 (4) (b) 4. If there are more than 2 candidates for any office on a 3-member school board, more than twice as many candidates as there are members to be elected to a school board of more than 3 members, or more than twice as many candidates as there are members to be elected from any district of a school board to which members are elected pursuant to a plan of apportionment ~~or district representation plan~~ under s. 120.02 (2) (b) ~~or 120.73 (1) (e),~~ there shall be a primary election for such positions 4 weeks before the election. The terms of school board members for the first election shall be determined under s. 120.02 (3) (a) 2. The clerk described in subd. 3 shall have charge of the primary and the election and shall conduct them in accordance with s. 120.06, unless otherwise specified in this section or s. ~~120.73~~ 120.42 (1) (a) 4.

SECTION 54m. 117.035 (1) (a) and (c), (2) and (3) of the statutes are amended to read:

117.035 (1) (a) If within 30 days after the date of mailing of an order of school district reorganization issued under s. 117.08 a petition requesting a referendum on the order and signed by a sufficient number of the electors of the territory included in the proposed reorganized school district is filed under par. (c), the order shall not become effective until it has been approved at the referendum by each affected school district by a majority vote of the electors within that school district. A In this paragraph, a "sufficient number of petitioners is electors" means at least 500 of the electors who reside in the proposed reorganized school district, or at least 10% of the electors who reside in either of the school districts affected by the order. Upon their own motion By resolution adopted at the time of issuing an order of school district reorganization under s. 117.08, the school boards may direct the holding of a referendum upon the order. By resolution adopted within 30 days after the order is mailed, the common council of any city affected by an order of school district reorganization issued under s. 117.08 may demand the holding of a referendum upon such order.

(c) The petition, or resolution ~~or demand for a referendum~~ shall be filed with the county clerk of the county having the largest equalized valuation in the proposed reorganized school district. The county clerk shall notify the clerk of each city, village and town affected that a referendum will be held on the order. The referendum shall be called by the county clerk for a date not less than 30 days nor more than 90

days from the date the petition, ~~or resolution or demand~~ is filed, but if the spring or general election is to be held within 90 days from the date of filing, the referendum shall be held on the date of the spring or general election. The county clerk shall publish, as a class 2 notice under ch. 985 in the territory included in the order, the purpose, time and place of holding the referendum and the hours of opening and closing of the polls.

(2) CONCURRENT APPEAL AND REFERENDUM. If ~~under sub. (1) a petition is filed or resolution adopted or the school boards direct the holding of a referendum, is authorized under sub. (1)~~ and an appeal is filed under s. 117.03 relating to the same order of school district reorganization, the referendum shall not be held until after an order has been issued by the board under s. 117.03. If the board affirms the appealed order ~~appealed from~~ without modification, the referendum shall be conducted as provided under sub. (1) not less than 30 days nor more than 90 days from the date of mailing under s. 117.01 (2) (c), except that if the spring or general election is to be held within 90 days from the date of mailing, the referendum shall be held on the date of the spring or general election. If the board modifies or reverses the appealed order ~~appealed from~~, no referendum shall be held unless a separate petition is filed under sub. (3) or a referendum is directed ~~or demanded~~ under sub. (3).

(3) ON ORDER OF THE BOARD. Any order issued by the board under s. 117.03 which constitutes, affirms or modifies an order of school district reorganization is subject to approval at a referendum if a petition for a referendum has been or is subsequently filed as provided under subs. (1) and (2) in the case of school board orders, or if a referendum is directed by the ~~motion of the board, or if, within 30 days after the date of mailing of the order under s. 117.01 (2) (c), a referendum is demanded by adoption of a resolution by the common council of any city affected by the order.~~ The referendum shall be conducted as provided under subs. (1) and (2).

SECTION 55. 117.043 of the statutes is repealed.

SECTION 56. 117.045 of the statutes is repealed.

SECTION 57. 117.07 (title), (1) and (2) (a) of the statutes are amended to read:

**117.07 (title) Change of district type.** (1) A ~~common school district operating elementary and high school grades or a union high school district~~ may be changed into a unified school district, ~~and a unified school district or operating only high school grades may be changed into a union high school district, and a unified school district operating only elementary grades or both elementary and high school grades may be changed into a common school district, if at least 30 days prior to the spring election a petition requesting such a~~ the change is filed with the school district clerk signed by at least 10% of the electors residing in the school district.

(2) (a) The petition shall state that the school board of the ~~common, union high or unified predecessor~~ school district shall become the first school board of the ~~unified or common successor~~ school district. Upon receipt of the petition, the school district clerk shall publish a class 1 notice, under ch. 985, of the filing of the petition. The notice shall include the date, time and place at which the school board shall hold a public hearing on the proposed change. The public hearing shall be held at least 7 days prior to the date of the spring election.

SECTION 58. 119.04 (1) of the statutes, as affected by 1985 Wisconsin Acts 29 and 56, is amended to read:

119.04 (1) Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.03 (3) (c), 115.01 (1) and (2), 115.28 (15), 115.34, 115.345, ~~115.76, 115.77, 115.79 to 115.89, 118.01, 118.015, 118.017, 118.019, 118.025, 118.03, to 118.04, 118.06, 118.07, 118.10, 118.12 (1), 118.125, 118.126, 118.13, to 118.14, 118.15, 118.153, 118.16, 118.18, 118.19 (3) (b) and (7), 118.20, 118.24 (2) (c) to (f), 118.255, 118.30, 118.32, 118.33, to 118.35, 120.12 (15) and (17), and 120.13 (1), (2) (b) to (f), (14), (17) to (19) and (26), 120.49 (6) and (14) and 120.61~~ are applicable to the a 1st class city school district and board of school directors and to schools in 1st class cities.

SECTION 59. 119.42 (1) of the statutes is amended to read:

119.42 (1) The appointment of a teacher, as defined in s. 40.02 (55), in the a 1st class city school district shall be ~~on probation~~ probationary. After successful probation by completing 3 years of continuous service, the appointment shall be permanent during efficiency and good behavior. ~~A teacher who has taught 3 years or more in the city immediately prior to the date on which such city becomes a city of the 1st class is deemed to have served his term of probation.~~ A teacher who has a permanent appointment shall not be discharged, except for cause upon written charges. After 10 ~~days~~ days' written notice to the teacher of the charges and upon the teacher's written request, the charges shall be investigated, heard and determined by the board. The action of the board on the matter shall be final.

SECTION 60. 119.47 (1) of the statutes is amended to read:

119.47 (1) If activities are being conducted under s. ~~120.61~~ 119.70 (1), the board as part of the budget transmitted annually to the common council under s. 119.16 (8) (b) shall ~~report~~ specify the amount of money required for the ensuing school year under s. ~~120.61 (3) 119.70 (3).~~ The taxes so levied and collected shall constitute the school extension fund.

SECTION 61. 119.47 (2) of the statutes is repealed.

SECTION 62. 120.12 (3) (b) of the statutes is amended to read:

120.12 (3) (b) If a tax sufficient to operate and maintain the schools of a school district for the ensuing school year has not been determined, certified and levied prior to the effective date of school district reor-



ganization, ~~except an attachment to a city school district,~~ affecting any territory of the school district, the school board of the reorganized school district shall determine, on or before the 3rd Monday of October following the effective date of the reorganization, the amount of deficiency in operation and maintenance funds on the effective date of the reorganization which should have been paid by the property in the reorganized school district if ~~such the~~ tax had been determined, certified and assessed prior to the effective date of the reorganization. On or before the last working day in October, the school district clerk shall certify the appropriate amount to each appropriate municipal clerk who shall assess, enter and collect ~~such the~~ amount as a special tax on ~~such the~~ property. This paragraph does not affect the apportionment of assets and liabilities under s. 66.03.

SECTION 63. 120.17 (8) (c) of the statutes is amended to read:

120.17 (8) (c) If an order of school district reorganization ~~or an ordinance of annexation~~ is effective after January 1 and before July 1 of any year, the school district clerks of the school districts affected shall prepare the ~~certified~~ statement under par. (a) based on the equalized valuation of the school districts as altered by the order and related to the equalized valuation of the year upon which the tax levy is required to be made. If the school district clerk has filed ~~such the~~ statement prior to the effective date of the order, the clerk shall file a corrected certification which shall be accepted by the clerks of the municipalities affected and acted upon by them as provided in par. (a). Failure of the school district clerk to file a corrected certification of the levy based on the equalized valuation of each of the municipalities or portions thereof within the school district shall be corrected by the school district clerk by an appropriate adjustment in the levy certified in the following year.

SECTION 64. Subchapter II (title) of chapter 120 of the statutes is amended to read:

CHAPTER 120  
SUBCHAPTER II  
UNIFIED SCHOOL DISTRICTS

SECTION 65. 120.40 to 120.48 of the statutes are repealed.

SECTION 66. 120.49 (intro.) and (1) to (5) of the statutes are repealed.

SECTION 67. 120.49 (6) of the statutes is renumbered 119.18 (4) and amended to read:

119.18 (4) INSURANCE. Provide The board may provide for accident insurance covering pupils in the school district. ~~Such insurance shall not be paid from school district funds unless the expenditure is authorized by the common council or, where applicable, the fiscal board under s. 120.50.~~

SECTION 68. 120.49 (7) to (13), (15) and (16) of the statutes are repealed.

SECTION 69. 120.49 (14) of the statutes is renumbered 119.18 (15) and amended to read:

119.18 (15) LEASE SCHOOL PROPERTY. In addition to any other authority, the board may lease school sites, buildings and equipment not needed for school purposes to any person for any lawful use at a reasonable rental for a term not exceeding 15 years if ~~approved by the common council or, where applicable, the fiscal board under s. 120.50.~~

SECTION 70. 120.50 to 120.53 of the statutes are repealed.

SECTION 71. 120.54 (title) of the statutes is repealed.

SECTION 72. 120.54 of the statutes is renumbered 119.50 (3) and amended to read:

119.50 (3) ~~In a city school district, the city clerk~~ The secretary-business manager shall keep separate accounts of all money raised and apportioned for 1st class city school district purposes ~~and such.~~ The money shall be disbursed in accordance with this section and s. 66.042. ~~The school board shall present to the city clerk a certified bill, voucher or schedule, signed by the school board president and school district clerk, giving the name of the claimant and the amount and nature of each claim. Upon such certification, the city clerk shall issue proper orders to the city treasurer, who (5) and shall pay them be paid from the proper funds.~~

SECTION 73. 120.55 to 120.58 of the statutes are repealed.

SECTION 74. 120.61 (title) of the statutes is renumbered 119.70 (title).

SECTION 75. 120.61 (1) to (4) of the statutes are renumbered 119.70 (1) to (4) and amended to read:

119.70 (1) ~~Boards of school directors in cities of the 1st, 2nd or 3rd class~~ The board may, on ~~their~~ its own initiative, and shall, upon petition as provided in sub. (2), establish and maintain for children and ~~adult persons~~ adults, in the school buildings and on the school grounds ~~under the custody and management of such boards,~~ evening schools, vacation schools, reading rooms, library stations, debating clubs, gymnasiums, public playgrounds, public baths and similar activities and accommodations to be determined by ~~such boards; and~~ the board. The board may cooperate, by agreement, with other ~~commissioners~~ commissions or boards having the custody and management ~~in such cities~~ of public parks, libraries, museums and public buildings and grounds of whatever sort, to provide the equipment, supervision, instruction and oversight necessary to carry on such public educational and recreational activities in and upon such other buildings and grounds.

(2) Upon the filing of a petition with the city clerk, signed by ~~not less than~~ equal to at least 10% of the number of voters voting at the last ~~school or other~~ citywide election in ~~such~~ the city, the question of ~~exercising the powers granted for initiating~~ any of the purposes activities specified in sub. (1) shall be submitted to the electors of the school district at the next election ~~of any sort held therein,~~

~~and if in the city. If a majority of the votes cast upon such the question shall be is in the affirmative, the board of school directors shall exercise said powers initiate the activities in accordance with said the petition, pursuant to this section.~~

(3) The board shall report to the common council on or before ~~the 4th Monday in July of each year in cities of the 2nd and 3rd class, on or before the first Monday in August of each year in cities of the 1st class,~~ the amount of money required during the ensuing school year for the support of ~~such activities and thereupon, subject to under sub. (5), the (1).~~ The common council shall levy and collect a special tax in the manner that other taxes are levied and collected, equal to the amount of money so required; ~~but said tax shall not in any one year exceed the maximum mill tax rate prescribed for the school extension fund in s. 65.07, for all the activities conducted in said city pursuant to this section, and said. The tax shall not be used or appropriated, directly or indirectly, for any other purpose.~~

(4) All moneys received by or raised in ~~such city the school district~~ for the purposes mentioned in this section ~~activities under sub. (1) shall be paid over to the city treasurer, to be disbursed by him, in the manner that other school district funds at the disposal of such board of school directors in such city are disbursed.~~

SECTION 76. 120.61 (5) of the statutes is repealed.

SECTION 77. 120.61 (6) of the statutes is renumbered 119.47 (2) and amended to read:

119.47 (2) The board may receive and expend ~~for the purposes of this section, in addition to the tax levied and collected under s. 119.70 (3), any sums of money appropriated by the common council of such the city for such purposes, and the community services. The common council may appropriate from the city general fund or a similar fund to said board the school district such sums of money as said the common council deems expedient for the purposes of this section.~~

SECTION 78. 120.61 (7) of the statutes is renumbered 119.70 (5) and amended to read:

119.70 (5) Nothing in this section ~~shall be construed as prohibiting prohibits~~ the board from granting the use of school property to religious organizations under s. 120.13 (17).

SECTION 79. Subchapter III (title) of chapter 120 of the statutes is repealed.

SECTION 80. 120.70 of the statutes is renumbered 120.40.

SECTION 81. 120.71 (title) of the statutes is repealed.

SECTION 82. 120.71 (1) of the statutes is renumbered 117.07 (4) and amended to read:

117.07 (4) ~~A unified school district may be established in accordance with s. 117.043, 117.045, 117.07 or 120.50 (1) (a) or (5). Upon the establishment of a unified When the type of school district, all school districts from which it was formed shall thereupon cease~~

~~to exist, and is changed, all property, assets, claims, contracts, liabilities and obligations of such school districts, except those of a city or city the predecessor school district operating under subch. II, shall thereupon become the property, assets, claims, contracts, liabilities and obligations of the unified successor school district.~~

SECTION 83. 120.71 (2) of the statutes is renumbered 120.44 (1).

SECTION 84. 120.72 of the statutes is renumbered 120.41 and amended to read:

**120.41 Composition of school board.** ~~The (1) A school board of a unified school district shall be composed of may have 5, 7 or 9 members as designated in the order of school district reorganization creating the unified school district.~~

(2) The number of school board members may be changed in accordance with s. 120.02 (1). A plan of apportionment of school board members may be adopted in accordance with s. 120.02 (2). ~~A representation plan for election of school board members by election district may be adopted under s. 120.73 (1) (e).~~

SECTION 85. 120.73 (title) of the statutes is renumbered 120.42 (title).

SECTION 86. 120.73 (1) (a) of the statutes is renumbered 120.42 (1), and 120.42 (1) (a), as renumbered, is amended to read:

120.42 (1) (a) Except as provided in ~~subd. 2 par. (b),~~ school board members in a unified school district shall be electors of the school district and shall be elected at large, ~~or at large to numbered seats, or at large to an apportioned election district area by a plurality vote of the electors of the school district or from election districts pursuant to a representation plan under s. 120.73 (1) (e) by a plurality of the electors of each election district within the school district.~~ School board members in a unified school district shall be elected under s. 120.06 at the spring election, ~~except that those provisions of s. 120.06 (2), (6) (b) and (12) relating to at large elections do not apply to elections conducted under a district representation plan.~~ All candidates for school board seats shall file a declaration of candidacy as provided in s. 120.06 (6) (b).

SECTION 87. 120.73 (1) (b) to (d) of the statutes are renumbered 120.42 (2) to (4).

SECTION 88. 120.73 (1) (e) and (2) of the statutes are repealed.

SECTION 89. 120.74 (title) of the statutes is renumbered 120.43 (title).

SECTION 90. 120.74 (1) and (2) of the statutes are renumbered 120.43 (1) and (2) and amended to read:

120.43 (1) Annually, on or within 30 days after the 4th Monday in April, the school board shall elect a school board district president, school board vice president, school district clerk and school district treasurer from among its members and a school board secretary who need not be a member of the school board.

(2) The school board shall meet at least once each month and at other times upon the call of the school board district president or upon the filing of a request with the school district clerk signed by a majority of the school board members.

SECTION 91. 120.74 (3) and (4) of the statutes are renumbered 120.43 (3) and (4).

SECTION 92. 120.75 (title) of the statutes is renumbered 120.44 (title).

SECTION 93. 120.75 of the statutes is renumbered 120.44 (2).

SECTION 94. 121.06 (1) of the statutes is amended to read:

121.06 (1) Annually on or before October 1, the full value of the taxable property ~~in each school district, in each part of a each city, village and town in a joint each school district and in each city authorized to issue bonds for school purposes, including territory attached only for school purposes,~~ shall be determined by the department of revenue according to its best judgment from all sources of information available to it and shall be certified by the department to the state superintendent.

SECTION 95. 121.54 (1) of the statutes is amended to read:

121.54 (1) CITY OPTION. (a) Subsections (2) and (6) and s. 121.57 do not apply to pupils who reside in a school district that contains all or part of a city unless the school they attend is located outside the city but within the boundaries of the school district. ~~Where an annual or special meeting of a common school district or a union high school district, or the school board of a city school district or unified~~

(b) If a school district determines elects under sub. (2) (c) to provide transportation for such the pupils under par. (a), state aid shall be paid in accordance with s. 121.58, and there shall be reasonable uniformity in the transportation furnished such to the pupils, whether they attend public or private schools. This subsection

(c) Paragraph (a) does not apply to pupils who reside in a school district that contains all or part of a 1st, 2nd or 3rd class city with a population exceeding 40,000 unless transportation for such the pupils is available through a common carrier of passengers operating under s. 85.20 or ch. 194.

SECTION 96. 121.54 (2) (c) of the statutes is amended to read:

121.54 (2) (c) An annual or special meeting of a common school district or union high school district, or the school board of a city school district or unified school district, may determine elect to provide transportation for pupils who are not required to be transported under this section. Transportation may be provided for all or part some of the pupils who reside in the school district to and from the nearest public school they are entitled to attend or the private school, within or without outside the school district, within

whose attendance area they reside, ~~but if.~~ If transportation is provided for less than all such pupils there shall be reasonable uniformity in the minimum distance that pupils attending public and private schools will be transported. Except for elementary school districts electing to furnish transportation under par. (b) 2, this paragraph does not permit ~~the annual or special meeting or school board in a school~~ district operating only elementary grades to provide ~~for the~~ transportation of for pupils attending private schools.

SECTION 97. 779.14 (1) of the statutes is amended to read:

779.14 (1) (a) All contracts with the state involving \$2,500 or more and all other contracts involving \$500 or more for the performance of labor or furnishing materials when the same pertains to any public improvement or public work shall contain a provision for the payment by the prime contractor of all claims for labor performed and materials furnished, used or consumed in making the public improvement or performing the public work, including, without limitation because of enumeration, fuel, lumber, building materials, machinery, vehicles, tractors, equipment, fixtures, apparatus, tools, appliances, supplies, electric energy, gasoline, motor oil, lubricating oil, greases, state imposed taxes, premiums for worker's compensation insurance and contributions for unemployment compensation.

(b) 1. A contract shall not be made unless the prime contractor gives a bond issued by a surety company licensed to do business in this state. The department of administration may, for state contracts, waive the requirement that contractors furnish bonds when adequate guarantees or warranties are provided for by contract.

2. The bond shall carry a penalty of not less than the contract price, and shall be conditioned for the faithful performance of the contract and the payment to every person entitled thereto of all the claims for labor performed and materials furnished under the contract, to be used or consumed in making the public improvement or performing the public work as provided in the contract and this subsection.

3. The bond shall be approved ~~in the case of for~~ the state by the state official authorized to enter such the contract, ~~of for~~ a county by its district attorney, ~~of for~~ a city by its mayor, ~~of for~~ a village by its president, ~~of for~~ a town by its ~~chairman~~ chairperson, ~~of for~~ a school district by ~~the director or its president and of for~~ any other public board or body by the presiding officer thereof.

4. No assignment, modification or change of the contract, ~~of~~ change in the work covered thereby, or ~~any~~ extension of time for the completion of the contract may release the sureties on the bond.

5. Neither the invitation for bids, nor the person having power to approve the prime contractor's bond, may require that such the bond be furnished by a spec-

ified surety company or through a specified agent or broker.

SECTION 98. 801.11 (4) (a) 6 of the statutes is amended to read:

801.11 (4) (a) 6. If against a school district, or school board, the president, ~~secretary~~ or clerk thereof; and

SECTION 99. 985.05 (3) of the statutes is amended to read:

985.05 (3) In lieu of the requirements of this chapter, a school board may publish or publicize under s.

~~120.11 (4) and the city board of education may publish or publicize under s. 120.48 (4).~~

SECTION 99m. **Nonstatutory provisions.** Nothing in this act may be construed to affect the reorganization process, including the transfer of property under section 120.58, 1983 stats., for school districts required to reorganize under chapter 340, laws of 1981.

SECTION 100. **Cross-reference changes.** In the sections of the statutes listed in Column A, the cross-references shown in Column B are changed to the cross-references shown in Column C:

| A                | B                          | C                    |
|------------------|----------------------------|----------------------|
| Statute Sections | Old Cross-References       | New Cross-References |
| 27.08 (4)        | 62.23 (2), (12) and (17)   | 62.23 (2) and (17)   |
| 65.07 (1)(m)     | ss. 120.10 (10) and 120.56 | s. 120.10 (10)       |
| 66.03 (8)        | sub. (2f)                  | sub. (2c)(b)         |
| 84.06 (2)        | 779.14                     | 779.14 (1)(b)        |
| 117.01 (2)(a)    | 120.01, 120.42 or 120.72   | 120.01 or 120.41     |
| 117.01 (2)(a)    | 120.06 or 120.43           | 120.06 or 120.42     |
| 120.06 (10)      | 7.53 (3)                   | 7.53 (3)(a)          |
| 121.05 (1)(d)    | 120.13 (26) or 120.49 (15) | 120.13 (26)          |

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