

No. 2, S.]

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#### CHAPTER 536

AN ACT to repeal 40.03 (2) and (3), 40.06 (3) and (4) and 40.13; to renumber and amend 40.06 (5) and (6) and 40.065; to amend 17.03 (4), 40.03 (1), (4), (5) and (6) (a), 40.05, 40.06 (1) and (2), 40.07 (1) and (2), 40.11 (2), 40.12 (1) and (4) (c), 40.14, 40.15 (7), 40.16, 40.18 (1a) and 40.807 (4); and to create 40.01 (7) to (14), 40.02 (4a), 40.025 and 59.06 (3) of the statutes, relating to the clarification and co-ordination of the statutes on school district organization.

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

SECTION 1. 17.03 (4) of the statutes is amended to read:

17.03 (4) His ceasing to be an inhabitant of this state; or if the office is local, his ceasing to be an inhabitant of the district, county, city, village, town, ward or school district for which he was elected or within which the duties of his office are required to be discharged; and in the case of a school district officer, and in addition to the foregoing, his

being and remaining absent from the district for a period exceeding 60 days. \* \* \*

SECTION 2. 40.01 (7) to (14) of the statutes are created to read:

40.01 (7) SCHOOL YEAR. "School year" means the time commencing with July 1 and ending with the next succeeding June 30.

(8) SCHOOL TERM. "School term" means the time commencing with the first day and ending with the last day that the schools of a district are in operation for attendance of pupils in a school year.

(9) SESSION. "Session" means the time during a school term that the schools of a district are operated for the attendance of pupils.

(10) REORGANIZE, REORGANIZATION OR REORGANIZING. "Reorganize", "reorganization" or "reorganizing" as applied to school districts mean any alteration, dissolution, consolidation or creation of a school district.

(11) REORGANIZED DISTRICT OR PROPOSED REORGANIZED DISTRICT. "Reorganized district" or "proposed reorganized district" means:

(a) When an order or proposed order attaches territory to a school district only the territory in the district to which the territory is attached or proposed to be attached and the territory attached and the territory attached thereto by such order or proposed order.

(b) When an order or proposed order consolidates the territory of 2 or more school districts, then only the territory so consolidated by such order or proposed order.

(c) When an order or proposed order creates a new district or proposed new district, then only the territory comprising such new district or proposed new district.

(d) In no instance the territory remaining in any district from which territory is detached by an order or proposed order.

(12) REORGANIZATION AUTHORITY. "Reorganization authority" means any officer, committee, agency, school district board, board of education, town board, village board, city council, electors, or any group or combination thereof, which is empowered by statute to authorize or make orders of school district reorganization.

(13) SCHOOL DISTRICT AFFECTED. "School district affected" means the entire territory of any school district or school districts.

(a) From which any territory is detached;

(b) To which any territory is attached;

(c) Any territory of which is included in a newly created district;

(d) Any territory of which is included in any consolidation;

(14) CITY, VILLAGE OR TOWN AFFECTED. "City, village or town affected" means any city, village or town which has, lying within it, all or part of a school district affected.

SECTION 3. 40.02 (4a) of the statutes is created to read:

40.02 (4a) EXPENSES. The costs of the preparation, service, posting and publication of notices required of the secretary of the committee shall be paid out of the appropriation to the county school committee.

SECTION 4. 40.025 of the statutes is created to read:

40.025 GENERAL PROVISIONS RELATING TO REORGANIZATION. (1) JURISDICTION; ACQUISITION, CONTINUANCE AND LOSS THEREOF.

(a) Jurisdiction of a reorganization authority, other than the state superintendent, to make orders of school district reorganization under s. 40.03, 40.06, 40.07, 40.075, 40.12, 40.14, 40.15 or 40.807 is acquired upon the filing of a petition or the giving of notice of a public hearing when a

reorganization authority acts upon a resolution adopted upon its own motion.

(b) Jurisdiction of the state superintendent to act under any provision of this chapter on a school district reorganization is acquired upon the filing with him of a notice of appeal or other documentary material upon which any provision of this chapter authorizes him to so act.

(c) Jurisdiction, when acquired as prescribed in pars. (a) and (b), continues until the reorganization authority disposes of the matter before it, unless lost as provided in par. (d). When the making of a reorganization order is pending before a reorganization authority or such order has been made, any other reorganization proceeding or order made by that or any other reorganization authority, after jurisdiction has been acquired as provided in par. (a) or (b) and prior to the going into effect of an order made and filed pursuant thereto, pertaining to all or any part of the territory included in the order, is void.

(d) Jurisdiction acquired pursuant to par. (a) is lost:

1. Upon failure of the reorganization authority to substantially comply with the procedural steps required by law to be taken by it prior to the issuance and filing of an order of school district reorganization;

2. Upon the making of an order denying the reorganization proposed by a petition or a resolution, provided that until the expiration of 30 days after the mailing, as provided in sub. (5), of such an order made by town or village boards or city councils, acting alone or jointly, which denies a reorganization proposed by a petition, no other reorganization order shall be made and no other reorganization proceedings commenced, pertaining to all or any part of the territory included in said proposed reorganization, and any such other order made or other proceeding commenced is void;

3. Upon taking of formal action denying the reorganization proposed by a petition or a resolution and the failure to make and file, as required by sub. (5), an order to such effect within 10 days after such action, provided that until the expiration of 30 days following the date of such action by town or village boards or city councils, acting alone or jointly, which denies a reorganization proposed by a petition, no other reorganization order shall be made and no other reorganization proceedings commenced, pertaining to all or any part of the territory included in said proposed reorganization, and any such other order made or other reorganization proceeding commenced, is void;

4. Upon certification by a school district, town, village, city or county clerk or a county election commission of a referendum vote of nonapproval;

5. Upon the taking effect of an order of reorganization made by the reorganization authority;

6. Upon failure of town or village boards or city councils, acting alone or jointly, to make an order of reorganization within 60 days following the giving of notice of a public hearing upon a resolution proposing such reorganization;

6a. Upon failure of town or village boards, or city councils, acting alone or jointly, to make an order of reorganization within 60 days following the filing of a petition therefor, provided that until the expiration of 90 days after the date of the filing of such petition no other reorganization order shall be made and no other reorganization proceeding commenced, pertaining to all or any part of the territory included in the reorganization proposed by such petition, and any such other order made or other reorganization proceeding commenced, is void;

7. Upon failure of county school committees, acting alone or jointly, to make an order of reorganization within 90 days following the giving of notice of a public hearing upon a resolution proposing such reorganization;

7a. Upon failure of county school committees, acting alone or jointly, to make an order of reorganization within 90 days following the filing of a petition proposing such reorganization;

8. Upon the perfection of an appeal pursuant to this chapter.

(e) No territory shall be detached from a district unless by the same order it is included in another district, or included with other territory in the creation of a new district, but this limitation shall not apply to territory detached from a union high school district when such territory is already in another school district which operates 12 grades or more. No territory shall be detached from a district which operates high school grades unless by the same order it is attached to another district which operates high school grades, or a state graded school. No territory shall be detached from a union high school district so as to make parts of the district noncontiguous.

(f) No common school district shall be created having less than \$150,000 of assessed valuation.

(2) NOTICE OF PUBLIC HEARINGS ON REORGANIZATION OF SCHOOL DISTRICTS. (a) All publication, posting and service of notice of a public hearing on a proposed reorganization required by s. 40.03 shall be made by the secretary of the county school committee or the secretary of the joint county school committee at least 10 days before the date of hearing. Such notice shall be in writing, shall state the hour, day and place of such hearing, and shall be served upon the clerk of each school district affected by the proposed reorganization. Pursuant to s. 40.01 (14) the secretary shall also serve notice upon the clerk of each town, village or city affected by the proposed reorganization and upon the county superintendent of schools of any county (other than that of the secretary) in which any school district affected by the reorganization lies. Such service may be either by personal service or by registered mail with return receipt requested. The secretary shall also mail a copy of such notice to every other member of the board of each school district, town and village and the council of each city, affected by the proposed reorganization. The secretary shall also post notice of such hearing in 4 or more public places in each school district affected and shall cause notice thereof to be published once in at least one newspaper which has general circulation in the school districts affected by the proposed reorganization, all not less than 10 days before the date of such hearing. When all other requirements of notice have been complied with, the presence of an official at a hearing waives the required service upon or mailing to him of notice thereof.

(b) Notice required by s. 40.06 shall be made by the town, village or city clerk who is designated therein to give such notice. Publication shall be made and notice shall be served or mailed as provided in par. (a) with the words "town clerk", "village clerk" or "city clerk" substituted for "secretary of the county school committee" in each instance. The waiver provision set forth in par. (a) shall also apply.

(4) EFFECTIVE DATE AND VALIDITY. Every reorganization order shall state the date on which it is to take effect, which date shall not be more than one year from the day it is filed in accordance with sub. (5) nor less than 30 days from the date it is mailed to the proper officials by the county superintendent of schools following the filing thereof as provided in sub. (5). Such order shall be presumptive evidence of the facts recited therein and of the validity of all proceedings preliminary thereto.

(5) FILING ORDERS; RUNNING OF TIME PERIOD; STAY OF ORDERS. A certified copy of any order made under ss. 40.03, 40.06, 40.07 to 40.09, 40.11, 40.12, 40.14, 40.15 and 40.807 shall be filed within 10 days with the county superintendent of the county in which the reorganized district lies. The county superintendent, upon receipt of the order, shall immedi-

ately place thereon the date upon which the same was received, and within 5 days after receipt thereof, shall send by registered mail a certified copy thereof together with a certification of the date of mailing of the same to the clerk of each school district and of each town, village or city affected and to the state superintendent. When the territory of a reorganized district lies in more than one county the order shall be filed with the county superintendent of the county in which the major portion of the area of the reorganized district lies and said county superintendent shall mail certified copies thereof as hereinbefore provided and also to the county superintendent of all the other said counties. The appeal and referendum period shall run from the date the certified copies of the order are mailed by the county superintendent to the officials hereinbefore mentioned. An appeal taken from any order shall stay said order until the appeal has been determined and the result of the final determination made and filed. A referendum petition or resolution shall stay an order until the result of the referendum has been certified by the school district clerk, municipal or county clerk or the county election commission to the county superintendent of schools. When the results of a referendum election have been canvassed the proper clerk shall certify the same to the county superintendent of schools with whom the order was filed. Such superintendent shall notify all the officials who received a copy of the order of the results of the referendum.

(7) FAILURE TO ACT. Any failure of any officer to perform a mandatory duty imposed upon him by this section shall not affect the validity of any order otherwise lawfully made, but such officer shall be subject to the provisions of s. 946.12.

(8) AID APPORTIONMENT. During the pendency of an appeal or a referendum, apportionment of school aids shall be made to the school districts involved in such orders on the same basis as they would have been apportioned if the order had not been issued.

SECTION 5. 40.03 (1) of the statutes is amended to read:

40.03 (1) Upon the *filing of a petition of an elector \* \* \* residing in the area of a proposed reorganized district or upon a resolution adopted upon its own motion*, the county school committee may order the \* \* \* *reorganization of school districts within the county, subject to the referendum provisions of sub. (6) \* \* \*. The secretary of the committee shall set a date for a public hearing on the proposed reorganization which shall be held not more than 30 days after the \* \* \* filing of the petition or the date on which the committee ordered such a hearing when the committee initiated the proceedings*, at a place within the district proposed to be reorganized or within a reasonable distance of such district. Notice in writing of the time and place of the hearing shall be \* \* \* *given as provided in s. 40.025 (2)*. Within 30 days after the hearing on any proposed plan of reorganization and before the \* \* \* *making of any order thereon*, the committee shall hold a conference on the proposed \* \* \* *order of reorganization with the school boards of the districts involved. The \* \* \* committee action taken shall represent the decision reached at this conference \* \* \* and an order conforming therewith shall be made within 10 days and filed with the county superintendent as provided in s. 40.025 (5)*.

SECTION 6. 40.03 (2) and (3) of the statutes are repealed.

SECTION 7. 40.03 (4), (5) and (6) (a) of the statutes are amended to read:

40.03 (4) The \* \* \* *secretary shall call the first annual meeting of any common or union high school district created by \* \* \* a school com-*

*mittee order and shall cause notice to be posted and published as \* \* \* are notices for annual meetings. The committee chairman \* \* \*, a member designated by him, or an elector of the reorganized district designated by him shall preside until a chairman of the district meeting is elected.*

(5) Any person aggrieved by an order may appeal therefrom to the circuit court of any county in which *any* territory of the \* \* \* reorganized district lies, by serving written notice of such appeal *stating specifically the grounds upon which it is based*, upon the \* \* \* county \* \* \* superintendent with whom the order was filed and filing such notice with the clerk of the court \* \* \* to which the \* \* \* appeal is \* \* \* taken, all within 30 days after the \* \* \* date of mailing of \* \* \* such order. The \* \* \* county \* \* \* superintendent on whom the notice \* \* \* is served shall send notice of such appeal to the \* \* \* secretaries of all other county school committees \* \* \* of counties in which any school district affected lies, the clerks of all \* \* \* towns, villages, cities and \* \* \* school districts affected and to the state superintendent \* \* \* by registered mail within 5 days after notice \* \* \* of appeal was served on him \* \* \*. Service \* \* \* of the notice of appeal and filing of \* \* \* said notice with the clerk of the court shall constitute \* \* \* perfection of the appeal. Each school district clerk shall forthwith post such notice of appeal in \* \* \* 4 public places in the district. \* \* \*

(6) (a) If within 30 days after the date of \* \* \* mailing of any committee order \* \* \* of school district reorganization as provided in s. 40.025 (5), a petition signed by a sufficient number of the qualified electors of the territory included \* \* \* in the reorganized district is filed with the county clerk \* \* \*, or with the clerk of the county having the largest \* \* \* assessed valuation in \* \* \* said district when it lies in more than one county, requesting a referendum election on the order, such order shall not become effective until it has been approved at such election by both a majority vote of the electors residing within \* \* \* the reorganized district territory \* \* \* which lies in towns and unincorporated villages voting at such election and by a majority vote of the electors residing within the \* \* \* reorganized district territory lying in all cities and incorporated villages \* \* \* voting at such election. A sufficient number of petitioners is 500 of the electors residing in the \* \* \* reorganized district; or 10 per cent of such electors, residing in the cities and incorporated villages, or 10 per cent of such electors residing in the territory outside the cities and incorporated villages. The county school committee or a joint committee may upon its own motion, within 30 days after \* \* \* the mailing of its order, provide for the holding of a referendum election upon an order issued by it. As an alternative to making and filing the foregoing petition the common council of any city affected by an order of \* \* \* a committee may, by resolution adopted within 30 days after the order is \* \* \* mailed, demand the holding of a referendum election upon such order.

SECTION 8. 40.05 of the statutes is amended to read:

40.05 The \* \* \* board of \* \* \* any town or village and \* \* \* the council or commission of any city of the second, third and fourth class shall, within 30 days after receipt of a written request from \* \* \* a county school committee, advise and make recommendations to the committee in writing concerning \* \* \* any proposed reorganization of any school district which lies in their respective municipalities \* \* \*. In cities of the first class, the board of school directors shall give such advice and recommendations.

SECTION 9. 40.06 (1) and (2) of the statutes are amended to read:

40.06 (1) Upon the filing of a petition by an elector *residing in a school district affected* with the \* \* \* clerk of a town, village or city

*affected or upon adoption of a resolution upon its own \* \* \* motion, the board of any town or village \* \* \* affected or the council of \* \* \* any city of the second, third or fourth class affected may, by order, \* \* \* reorganize school districts. \* \* \* Before any reorganization order is made a public hearing shall be held on the proposal. The clerk of the town, village or city with whom a petition is filed or the clerk of the town, village or city the governing body of which adopts a resolution proposing a school district reorganization, shall fix a date for a public hearing within 30 days of the date of filing the petition or of the date of the adoption of the resolution and give notice thereof as provided in s. 40.025 (2).*

*(2) \* \* \* When a petition is filed or a resolution is adopted for the reorganization of a school district, as provided in sub. (1), and any territory of the proposed reorganized district comprises all or part of a school district affected by such reorganization which lies in more than one town, village or city, the boards of all such towns and villages and the councils of all such cities in which any territory of any school district affected lies shall act jointly thereon; the concurrence of a majority of each board or council is necessary to a valid order. The meeting of the several \* \* \* boards \* \* \* and councils to conduct a public hearing shall be called by the clerk of the \* \* \* town, village or city with whom the petition is filed \* \* \* or whose board or council adopted the resolution for a proposed reorganized district and said clerk shall give \* \* \* notice \* \* \* thereof as provided in s. 40.025 (2) (b).*

SECTION 10. 40.06 (3) and (4) of the statutes are repealed.

SECTION 11. 40.06 (5) and (6) are renumbered 40.06 (3) and (4) and amended to read:

*40.06 (3) (a) Any person aggrieved by an order \* \* \* made under this section may appeal to the state superintendent within 30 days following the \* \* \* date of mailing of such order \* \* \* as provided in s. 40.025 (5). If action adverse to the making of an order of reorganization is taken by town or village boards or city councils, whether acting alone or jointly, at or following a hearing upon a petition for such reorganization, any person aggrieved by such adverse action may appeal to the state superintendent within 30 days following the date of such action. If no order of \* \* \* reorganization is filed within 60 days after the filing of a petition therefor any person aggrieved may appeal to the state superintendent within 90 days \* \* \* after the filing of the petition and such appeal may be taken notwithstanding any other provision for appeal in this paragraph. No appeal hereunder to the state superintendent may be withdrawn.*

*(b) After determining the appeal the state superintendent shall \* \* \* make an order affirming, modifying or reversing the order appealed from, or if the appeal is \* \* \* taken when no \* \* \* reorganization has been ordered the state superintendent may \* \* \* make such order as he deems proper under the circumstances. The state superintendent shall make his order within 120 days of the date of taking of an appeal and forthwith file a copy thereof as provided in s. 40.025 (5). Failure of the state superintendent to make an order on appeal within said 120 days shall operate as a denial of the appeal.*

*(c) \* \* \* Any person aggrieved by any order of the state superintendent issued under this section may appeal therefrom to the circuit court of any county in which any territory of the reorganized district lies. A written notice of appeal stating specifically the grounds upon which said appeal is based \* \* \* shall be served on the state superintendent and filed with the clerk of the court all within 30 days from the date certified*

*copies of his order are mailed as provided in s. 40.025 (5). Such service and filing thereof shall constitute perfection of the appeal.*

(4) *If within 30 days after the \* \* \* mailing of an order \* \* \* made and filed by a reorganization authority pursuant to this section, a petition for a referendum signed by a sufficient number of electors as provided by s. 40.03 (6) (a) is filed as therein provided, the same shall be held and conducted in accordance with s. 40.03 (6).*

SECTION 12. 40.065 of the statutes is renumbered 40.025 (3) and (6) and amended to read:

40.025 (3) *CONTENT OF ORDER. \* \* \* Every reorganization order shall state the districts from which any territory is detached and describe such territory, indicate the territory included within the reorganized district, number the reorganized district, name the same according to the municipalities in which it is located, and when it creates a new district, designate the number of school board members to be \* \* \* elected in accordance with s. 40.26 or 40.803. Every order creating a new district which holds an annual meeting shall fix the time and place for the first district meeting \* \* \* and the county superintendent with whom the order is filed shall give \* \* \* notice thereof in the manner provided for giving notice of an annual district meeting \* \* \*.*

(6) *ELECTIONS. \* \* \* The city clerk shall arrange for the election of a board of education pursuant to s. 40.803 for any new district created which is to operate under s. 40.80. In creating \* \* \* any other new district, a reorganization order may \* \* \* direct the election of officers by the election procedure \* \* \* in s. 40.27 (1) to (6). The \* \* \* clerk of the \* \* \* town, village or city 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 cause notice of the election to be given as provided by the statutes which govern municipal elections. Such clerk shall have charge of the election and provide all necessary materials and equipment to conduct \* \* \* the same in a manner similar to that used for conducting municipal elections. The cost of conducting such election shall become a charge upon the new school district, and the board of such new district, upon taking office, shall pay all costs of such election upon claims duly filed.*

SECTION 13. 40.07 (1) and (2) of the statutes are amended to read:

40.07 (1) *When 10 per cent of the electors, in each of 2 or more school districts, petition therefor, the school boards shall meet at a time and place designated by the school board of the most populous district, to fix a time for an election to determine whether the districts shall be consolidated. The election shall be not less than 2, nor more than 4 weeks from the date of their meeting. Such election shall be called for 8 p.m., at the regular places for holding the district meeting. The district clerks of the respective districts shall give notice of the election as notices of annual school district meetings are given. The elections shall be conducted by the school officers of the respective districts, and the vote shall be by ballot. The school officers shall, within 3 days, report the result of the elections in their respective districts to the clerk of the district in which the meeting to fix the time of the election was held. The several school boards, one week after the election, shall meet at said place, shall canvass the returns and shall file a report of the results with the county superintendent and the state superintendent. \* \* \**

(2) *If a majority of the votes cast in each district is in favor of consolidation, the school districts shall \* \* \* be consolidated into a single school district, and the several school boards, at the time of canvassing*



the returns \* \* \* shall make an order creating a new district comprised of the area of the former districts and file the same as provided in s. 40.025 (5).

SECTION 16. 40.11 (2) of the statutes is amended to read:

40.11 (2) Within 6 days after the proposal is voted on, the school boards of the districts shall meet in joint session and canvass the returns and certify the results to the state superintendent. If the proposal \* \* \* is adopted by each district, and such action meets the approval of the state superintendent, he shall issue \* \* \* an order creating a union high school district \* \* \* comprising the territory of said common school districts \* \* \* and file the same as provided in s. 40.025 (5); otherwise \* \* \* he shall, within 30 days, notify the clerk of each district which participated and the county superintendent that the proposal is disapproved.

SECTION 17. 40.12 (1) and (4) (c) of the statutes are amended to read:

40.12 (1) A union high school district may be established in any territory with an assessed valuation of \$2,500,000 or more. \* \* \* At the time of filing the petition mentioned in subs. (2) and (3), the petitioners shall submit to the state superintendent, \* \* \* to the clerk of each \* \* \* town, village or city and to the county superintendent of each county in which territory comprising such proposed \* \* \* district lies, a legal description and map of the territory proposed to be included in the district. Except as to such districts established by the county school committee pursuant to s. 40.03 (1), no election on the establishment of such district shall be held in such territory unless the state superintendent, after considering all relevant factors, has approved \* \* \* the same as a proper district to provide high school education. A copy of such description and map, with the approval of the state superintendent indorsed thereon, shall be submitted to the clerk of each \* \* \* town, village and city and to the county superintendent of each county within which territory comprising such proposed district lies.

(4) (c) The result of the election shall be certified at once by the election officers to the clerks of the respective towns, villages or cities; and if the proposal is adopted, the result shall be certified to the state superintendent by the \* \* \* said clerks, within 6 days after the election. \* \* \* The state superintendent \* \* \* shall \* \* \* make an order creating a union high school district \* \* \* comprised of said territory and file it as provided in s. 40.025 (5).

SECTION 18. 40.13 of the statutes is repealed.

SECTION 19. 40.14 of the statutes is amended to read:

40.14 ATTACHMENT TO UNION HIGH SCHOOL DISTRICT. \* \* \* Territory not in a district which operates a high school but adjoining a union high school district may be \* \* \* attached thereto \* \* \* in the following manner:

(1) A petition therefor describing the territory shall be presented to the board of such high school district signed by 10 per cent of the electors in such adjacent territory.

(2) If the high school board approves the petition, the matter shall be submitted by said board to a meeting of the electors of said territory held at the regular place of holding the annual meeting of the high school district or some other convenient place, at 8 p.m. on the date set by said board, which shall \* \* \* be \* \* \* within 30 days from the date of approval of the petition by the board. The clerk of said high school district shall give at least 10 days' notice of said meeting, embodying therein the date, time and place of the meeting and the proposal to be submitted, by posting copies thereof in at least 8 public places in said territory. Said

meeting shall be conducted by the officers of the high school district in the manner of conducting a meeting of the school district. The vote on the proposal shall be taken by ballot, which ballot shall contain a description of the territory to be \* \* \* *attached* by section and portions of sections, and the question on the ballot shall be "Shall the territory herein described be \* \* \* *attached* to the ----- school district?"

Yes  No

If a majority of the electors voting at said meeting are in favor \* \* \* of *attachment*, said territory shall \* \* \* be \* \* \* *attached and the board of the high school district shall make an order to that effect and file the same as provided in s. 40.025 (5), but such order shall not be made effective during a school term.*

SECTION 21. 40.15 (7) of the statutes is amended to read:

40.15 (7) If two-thirds of the votes cast at such election are for dissolution, the result shall be at once certified to \* \* \* the state superintendent and *he shall make an order dissolving such district \* \* \* as of July 1, following such election, and file the same as provided in s. 40.025 (5).*

SECTION 22. 40.16 of the statutes is amended to read:

40.16 The electors of any union high school district and the electors of any common school district, included within the union high school district, may direct their respective school boards to join in the erection and maintenance of a school building *or buildings* for housing the high school and the common school. Where such agreement has been entered into, the principal of the high school shall be the administrative head of both schools.

SECTION 23. 40.18 (1a) of the statutes is amended to read:

40.18 (1a) This section shall be liberally construed to effect the legislative purpose to validate and make certain the legal existence of all school districts in the state of Wisconsin, however created *or reorganized*, and to bar every right to question the existence thereof in any manner and to bar every remedy therefor notwithstanding any and all defects and irregularities, jurisdictional or otherwise, after the expiration of such 4-month period except where some action or proceeding has been commenced within such 4-month period.

SECTION 24. 40.807 (4) of the statutes is amended to read:

40.807 (4) The city council or commission and the town chairmen and village presidents of the \* \* \* *towns, villages and cities* voting as prescribed in sub. (2) may \* \* \* *by adoption of a resolution* abandon the method of fiscal control in use by the school district and adopt the common school district plan. *The city clerk shall transmit a certified copy of such resolution to the state superintendent of public instruction and he shall make an order in accordance therewith and file it as provided in s. 40.025 (5).*

SECTION 25. 59.06 (3) of the statutes is created to read:

59.06 (3) The board shall annually appropriate a sum sufficient to provide for the actual and necessary expenses of the county school committee incident to its duties and functions and of its secretary incident to his duties.

SECTION 26. This act shall not apply to any reorganization made under s. 40.03 to 40.15 of the statutes upon a petition which was filed or a resolution for reorganization which was adopted prior to the effective date of this act.

Approved August 6, 1957.