

No. 175, A.]

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CHAPTER 50

AN ACT to amend 40.03 (4), 40.20 (1), 40.25, 40.26 (2) and (5), 40.27 (8) and 40.85 (2) of the statutes, relating to the time of holding the annual meeting in common and high school districts.

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

SECTION 1. 40.03 (4) of the statutes is 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 committee order and shall cause notice to be posted and published as are notices for annual meetings. *The notice shall state the time and place of the meeting. The place shall be in a schoolhouse in the district if there is one that will accommodate the electors. If such a schoolhouse is not available, the place of the meeting shall be the nearest reasonable place.* The committee chair-

man, 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.

SECTION 2. 40.20 (1) of the statutes is amended to read:

40.20 (1) The annual meeting in all common school districts shall be held on the * * * *fourth Monday* * * * in July, at 8 p.m., but a different hour may be fixed by an annual meeting for the next annual meeting. *The notice shall state the time and place of the meeting. The place of the meeting shall be in a schoolhouse in the district if there is one that will accommodate the electors. If such a schoolhouse is not available, the place of the meeting shall be the nearest reasonable place.*

SECTION 3. 40.25 of the statutes is amended to read:

40.25 The officers of the common school district shall be a director, treasurer and clerk. They shall be electors of the district, and shall hold their respective offices for 3 years and until their successors have been elected or appointed and qualified. At the first election of officers, the clerk shall be chosen for a term to expire on the * * * *fourth Monday* * * * in July following, and the treasurer for a term to expire one year later, and the director for a term to expire 2 years later than that of the clerk. The officers elected shall be notified thereof by the clerk of the meeting within 5 days thereafter. A person elected and notified shall, within 10 days after his election, execute and file the official oath. The director, treasurer and clerk shall constitute the board of the district, unless the board is enlarged according to s. *40.025 (3)* or 40.26.

SECTION 4. 40.26 (2) and (5) of the statutes are amended to read:

40.26 (2) When a petition signed by 100 electors to change the number of school board members is filed with the district clerk at least 30 days prior to the day when the district officers are elected in a common school district or union high school district, he shall incorporate into his notice of the annual or special district meeting or referendum as provided in s. 40.21 a statement that at such meeting or referendum the question of changing the number of school board members as requested in the petition will be voted upon. A majority of the ballots cast shall determine the question. If such question is to be determined at a meeting at which an officer is to be elected it shall be determined before the election. When a special meeting of the school district or referendum adopts a resolution to increase the number of board members of the district pursuant to this subsection, such new members shall be elected at the next election of school board members and their terms shall go into effect on the * * * *fourth Monday of July. In union high school districts the third Monday of July shall apply.*

(5) If the municipal board or boards are satisfied that the territory comprising a newly created school district contains a population of 500 or more it may, upon creating the order for a new district, direct that a district board of 5 members be elected; the state superintendent, acting under the authority of s. 40.06, may likewise in his order creating a new district containing a population of 500 or more direct that a board of 5 members be elected. When a 5-member board is elected either at a district meeting or at an election held pursuant to * * * this section, the 5 members shall be elected for terms as follows: The 2 candidates receiving the highest vote shall serve for a term expiring 2 years after the next annual meeting, the 2 receiving the next highest vote for a term expiring one year after the next annual meeting, and the candidate receiving the next highest number of votes for a term expiring the * * * *fourth Monday*

in July following. Thereafter each member shall be elected for a term of 3 years and *shall serve* until his successor is elected and qualifies. The board shall organize and elect officers as provided in sub. (4). The municipal board or boards shall prepare a plan for allocating candidates to terms, as provided in sub. (3). *In union high school districts the third Monday in July shall apply.*

SECTION 5. 40.27 (8) of the statutes is amended to read:

40.27 (8) In counties having a population of 500,000 or more, * * * *common school * * * districts and city school districts except cities of the first class* may at an election called and held as provided in this section, if a majority of those voting approve, determine to elect its officers on either the first Tuesday * * * *in April* or the * * * *fourth Monday * * * in July* and *union high school districts may determine to elect its officers on either the first Tuesday in April or the third Monday in July.* After such determination such election shall be held annually thereafter on the date so fixed and until the electors * * * determine otherwise. All of the pertinent provisions of this section shall apply to such elections; but if the date of election is fixed for the first Tuesday * * * *in April*, the hours of opening and closing * * * the polls, the polling places and the officers of election shall be the same as for the village election held on said day and the election officers shall serve without compensation additional to that provided by the village. When the school district election is conducted jointly with the village election pursuant to this subsection and where registration of voters is required for the election of village officers, the same requirements shall also apply to the voting for school district officers and provision may be made for identifying those electors of the municipality qualified to vote on school matters. In such joint elections voting machines may be used. The term of office of officers so elected prior to the * * * *fourth Monday * * * in July* shall begin on the * * * *fourth Monday * * * in July* following said election.

SECTION 6. 40.85 (2) of the statutes is amended to read:

40.85 (2) The annual meeting of high school districts shall be held on the * * * *third Monday in * * * July* at 8 p.m., * * * *but a different hour may be fixed by an annual meeting for the next annual meeting. The notice shall state the time and place of the meeting. The place of the meeting shall be in a schoolhouse in the district if there is one that will accommodate the electors. If such a schoolhouse is not available, the place of the meeting shall be the nearest reasonable place.*

Approved May 25, 1959.
