

No. 220, S.

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CHAPTER 365

AN ACT to amend 39.105 (3), 40.22 (12), 40.27 (8), 40.29 (8), 40.30 (5), 40.91 (5) (a) and 62.09 (9) (g); and to create 40.29 (8a) and 62.12 (9) of the statutes, relating to various correctional amendments in the operation of public schools.

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

SECTION 1. 39.105 (3) of the statutes is amended to read:

39.105 (3) Preceding the date of preparing and publishing budgets the county superintendent shall transmit to the various district boards who anticipate service for transportation of handicapped children the approximate cost of providing such service, the anticipated state aid and the net cost to the district. After * * * *calculating the anticipated* state aid the county superintendent shall bill the respective districts for the net balance of transportation costs prorated according to the number of handicapped

children who reside within the district who are transported and the nature and cost of the transportation furnished. Upon receiving the bill from the county superintendent for the net cost of transportation service supplied by the county under this section, each school district shall draw its order-check for the amount thereof to the county treasurer who shall deposit such amount to the account of the county superintendent of schools for transportation of handicapped children.

SECTION 2. 40.22 (12) of the statutes is amended to read:

40.22 (12) * * * *Fix* the length of time the school shall be taught during the * * * school year * * * at not less than 9 months * * * but if the meeting does not * * * *fix it*, the board shall * * * *fix* the same. *Subsequent district meetings and boards shall act only to change the length of the school year.*

SECTION 3. 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, union high school districts, unified school districts and joint school districts lying partially in counties having a population of 500,000 or more may at an election called and held as provided in this section, if a majority of those voting approve, determine to elect their officers on either the first Tuesday in April or on the day of the annual meeting 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 or city election held on said day and the election officers shall serve without compensation additional to that provided by the village or city. When the school district election is conducted jointly with the village or city election pursuant to this subsection and where registration of voters is required for the election of village or city officers, the same requirement shall also apply to the voting for school district officers and provision shall 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 board members or officers so elected prior to the annual meeting in July shall begin immediately after the annual meeting * * * following said election.

SECTION 4. 40.29 (8) of the statutes is amended to read:

40.29 (8) If any district has not voted a tax sufficient to operate and maintain its school for the term * * * *provided in s. 40.22 (12)* during the ensuing year, the board shall, on *or before* the third Monday of October, determine the sum necessary to be raised to *operate and* maintain such school, and the school district clerk shall forthwith certify to the municipal clerks the amount so fixed, and he shall assess the same and enter it in the tax roll as other district taxes are assessed and entered. To the extent that annual taxes sufficient to operate and maintain the district schools have not been determined, certified and levied, for any school year, pursuant to this subsection prior to the effective date of any school district reorganization involving the whole or any part of the area of such district, except on attachments to city school districts, then, upon such a reorganization, the school district board of the reorganized district shall on *or before* the third Monday of October following the effective date of reorganization, determine and the school district clerk thereof shall certify to the proper municipal clerks the amount of deficiency in operation and maintenance funds on the effective date of the reorganization which should have been paid by any described portion of the property of the reorganized district if taxes

pursuant to this subsection had been properly and timely determined, certified and assessed prior to the reorganization. The amount of such deficiency as so determined and certified shall be assessed, entered and collected against such described property as a special tax thereon. This provision shall in no way affect the provisions for apportionment of assets and liabilities under s. 66.03 and is additional thereto.

SECTION 5. 40.29 (8a) of the statutes is created to read:

40.29 (8a) The district board shall, on or before the third Monday of October, determine the sum necessary to meet the demands of any irrevocable tax obligations or other financial commitment of the district not otherwise provided for, and the district clerk shall forthwith certify to the municipal clerks the amount so determined and the municipal clerk shall assess the same and enter it on the tax roll as other district taxes are assessed and entered.

SECTION 6. 40.30 (5) of the statutes is amended to read:

40.30 (5) Except in cities of the first class the school board * * * of any * * * school district, in its discretion, may grant the use of school buildings and school grounds to any responsible organization for public meetings to which an admission price is demanded, and to charge for such grant or use such sums as may be fixed by the school board or the board of education by a majority vote of the board members taken at a regular or special board meeting, all sums so received to be accounted for and paid into the school treasury to constitute part of the general fund and to be used for the benefit of the schools.

SECTION 7. 40.91 (5) (a) of the statutes is amended to read:

40.91 (5). (a) * * * Upon receipt of the high school tuition claims from the respective school clerks and before submitting those required by sub. (4) (a) to the county school committee, the county clerk shall examine all the claims for the purposes of establishing the accuracy of the data on residence, period of attendance, and mathematical calculations, and the legal authority for claiming tuition. For that purpose the county clerk may call upon school or other local officials to supply information and data which will verify the claims and satisfy the county clerk as to their accuracy. After examining the claims, the county clerk shall notify each district clerk of the results of his examination of such claims, and in cases where corrections are necessary, notify the clerk of the school district, who shall meet with the county clerk, at the school district's expense, to make such corrections. He shall apportion the amount thereof on the basis of the ratio of the equalized valuation of that portion of each municipality within the county that lies outside of districts which operate high schools to the total equalized value of all of the territory within the county that lies outside of high school districts and certify the amount so obtained to the clerks of said municipalities. The aforesaid equalized valuation shall be determined and certified to the county clerk annually on or before August 1 by the department of taxation. The municipal clerk shall enter upon the next tax roll in a local column such sums as may be due for such tuition from his municipality and the amount so entered shall be collected when and as other taxes are collected. If a portion of such municipality forms a part of a high school district, the taxable property in that portion shall be exempt from such tuition tax.

SECTION 8. 62.09 (9) (g) of the statutes is amended to read:

62.09 (9) (g) He * * * shall make partial apportionment of levies by school districts, excepting * * * districts operating under s. 40.80, out of funds available from school district levies and in the city treasury prior to

the tax apportionment provided by s. 74.03 (5) upon the filing of a written request by the school district board *stating that such advances are needed to continue operating.*

SECTION 9. 62.12 (9) of the statutes is created to read:

62.12 (9) LOANS. The council may loan money to any school district located within the city, or within which the city is wholly or partially located, in such sums as are needed by such district to meet the immediate expenses of operating the schools thereof, and the board of the district may borrow money from such city accordingly and give its note therefor. No such loan shall be made to extend beyond August 30 next following the making thereof or in an amount exceeding one-half of the estimated receipts for such district as certified by the state superintendent of schools and the local school clerk. The rate of interest on any such loan shall be determined by the city council.

Approved September 26, 1963.
