

No. 78, S.]

[Published May 23, 1941.

CHAPTER 122.

AN ACT to repeal 40.21 (2) of the statutes, relating to indigent tuition.

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

SECTION 1. Subsection (2) of section 40.21 of the statutes is repealed.

SECTION 2. This act shall take effect upon passage and publication.

Approved May 22, 1941.

No. 164, A.]

[Published May 23, 1941.

CHAPTER 123.

AN ACT to renumber 40.21 (2) as 40.21 (2) (a) and to create 40.21 (2) (b) of the statutes, relating to tuition of indigent pupils and school aids.

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

SECTION 1. Subsection (2) of section 40.21 of the statutes is renumbered paragraph (a) of said subsection.

SECTION 2. Paragraph (b) of subsection (2) of section 40.21 of the statutes is created to read:

(40.21) (2) (b) Whenever after the effective date of this paragraph any school district or municipality shall be compensated by a county, town, city or village for the tuition of any indigent pupil as provided in paragraph (a) of this subsection, the county clerk, city, village or town clerk shall file duplicate certificates with the state superintendent and secretary of state setting forth the name of such school district or municipality, the name, kind and location of the school attended by the indigent pupil, the latter's name and grade, the amount so compensated and such other information as may be required by the state superintendent and secretary of state. Such certification may be made any time after payment of such tuition before the following determination and certification by the state superintendent of the state school aid accruing to such school district

or municipality on account of such school. In making his determination and certification of the state school aid otherwise accruing to such school district or municipality on account of such school, the state superintendent shall deduct therefrom the amount certified by the county, city, village or town as paid to such school district or municipality and said county, city, village or town shall be entitled to the amount of such deduction payable out of the appropriation for such state school aid. In the event the school aid otherwise accruing to such school district or municipality in any year does not exceed the amount certified by the county as paid to such school district or municipality, the state superintendent shall continue to make deductions from the school aid otherwise accruing to such school district or municipality annually thereafter until the amount deducted equals the amount as certified by the county as paid to such school district or municipality. Upon receiving from the state superintendent his certificate showing such deduction, the secretary of state shall draw his warrant for the amount thereof in favor of such county, city, village or town for general county, city, village or town purposes. When the county, city, village or town receives such funds it shall reduce the general county, city, village or town tax levy in a corresponding amount. The provisions of this paragraph shall not apply to indigent tuition claims that have been reduced to judgment prior to the effective date of this paragraph. Any school district or municipality making claim for any state school aids except from the trust fund shall be conclusively deemed to have accepted the provisions hereof. In the event the deductions herein provided shall exceed the amount of aid otherwise due the school district or municipality then the remainder of the amount to be deducted shall be in like manner and method deducted from the county school aids.

SECTION 3. This act shall take effect upon passage and publication.

Approved May 22, 1941.