

No. 489, A.]

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CHAPTER 310

AN ACT to amend 40.03 (5) of the statutes, relating to publication of notices of appeal from orders of the county school committee.

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

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

40.03 (5) Any person aggrieved by an order may appeal therefrom to the circuit court of any county in which territory the proposed district lies, by serving written notice of such appeal upon the secretary of the county school committee * * * of the county where the appeal is to be tried and filing such notice with the clerk of the court * * * of the

county in which the action is to be tried within 30 days after the recording of the order. The secretary of the county school committee on whom the notice was served shall send notice of such appeal to the secretary of all other county school committees involved, the clerks of all municipalities and all school districts affected and the state superintendent of public instruction by registered mail within 5 days after notice has been served on him, and shall file a return of his notification with the clerk of the court in which said notice is filed. Service by the aggrieved person or persons upon the secretary of the county school committee and filing of such notice with the clerk of the court shall constitute a valid notice and service. The order shall be stayed pending determination of the appeal. Each school district clerk shall forthwith post such notice of appeal in 3 public places in the district. If a committee refuses or neglects to issue and record an order of creation, alteration, dissolution or consolidation when petitioned to do so, then any person aggrieved may appeal by serving such notice of appeal within 90 days following the filing of the petition and by filing within the same period with the clerk of the court a copy of the notice, a copy of the petition and a statement of the history of the proceeding and of the relief demanded. The court shall not remand the proceeding, but shall issue its own order. No school district shall be denied payment of school aid solely because of any appeal from an order of a county school committee.

Approved June 23, 1955.
