

CHAPTER 384, Laws of 1977

AN ACT to renumber and amend 120.50 (2) (a); to amend 117.04 (2), 120.44 (1) (b) and 120.50 (1) (intro.) and (4); to repeal and recreate 17.26 (2); and to create 120.50 (2) (a) of the statutes, relating to filling of vacancies on city school boards, revising referendum requirements for reorganizing joint city school districts into unified districts and revising the membership of the fiscal board of city school districts.

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

SECTION 1. 17.26 (2) of the statutes is repealed and recreated to read:

17.26 (2) (a) In the case of city school districts or joint city school districts, except under par. (b), by appointment by the president of the school board, subject to confirmation by the school board.

(b) In the case of city school districts or joint city school districts in which school board members are appointed by the mayor and confirmed by the common council as provided in s. 120.43, by appointment by the mayor, subject to confirmation by the common council.

SECTION 2. 117.04 (2) of the statutes is amended to read:

117.04 (2) The electors in a joint city school district may petition to change the school district into a unified school district. So far as possible, s. 9.20 shall be applicable to this section. The required number of signatures on such a petition shall be determined in accordance with s. 115.01 (13). The petition shall meet the requirements of s. 117.01 (2) (a). If the boundaries of the joint city school district and the proposed unified school district are identical, the petition shall state whether the school board of the joint city school district, if it is an elected school board, shall become the first school board of the unified district. The petition shall be submitted to the city clerk and referred by the city clerk to the fiscal board under s. 120.50 in lieu of the common council for either adoption without alteration or referral without alteration to a vote of the electors of the school district at a referendum. If a referendum is held, the proposed reorganization shall become effective if it is approved at the referendum by a majority of those electors voting at the referendum who reside within that portion of the proposed unified school district territory lying in each city and village and a majority of those electors voting at the referendum who reside within that portion of the proposed unified school district territory lying in towns. Adoption by the fiscal board or approval at a referendum shall constitute the making of an order of school district reorganization, which shall be effective the next following July 1.

SECTION 3. 120.44 (1) (b) of the statutes is amended to read:

120.44 (1) (b) By adoption of an ordinance initiated under s. 9.20 by the electors of the city school district.

SECTION 4. 120.50 (1) (intro.) of the statutes is amended to read:

120.50 (1) (intro.) Whenever an order of school district reorganization under s. 117.02 or 117.03 affecting a city school district becomes effective, the aldermen, town chairman or the chairman's designee as provided in sub. (2) and village president of the municipalities affected by the reorganization shall determine by the voting method prescribed in sub. (2), whether to:

SECTION 5. 120.50 (2) (a) of the statutes is renumbered 120.50 (2) (am) and amended to read:

120.50 (2) (am) Each town chairman or designee of the chairman and village president shall have one vote for each full \$200,000 of equalized valuation and remaining major fraction thereof of the school district within his or her town or village, but in no case ~~shall~~ may a town chairman or village president have less than one vote.

SECTION 6. 120.50 (2) (a) of the statutes is created to read:

120.50 (2) (a) If the town chairman does not reside within the city school district, the chairman shall designate a town supervisor who resides within the city school district as the chairman's representative. If no members of the town board reside within the city school district, the town chairman shall designate an elector of the town who resides within the city school district as the chairman's representative.

SECTION 7. 120.50 (4) of the statutes is amended to read:

120.50 (4) (a) Not less than 72 hours prior to a meeting of the fiscal board, the city clerk shall notify in writing each alderman, town chairman or designee of the chairman, village president and mayor under sub. (2) (b) of the time and place of the meeting. An emergency fiscal board meeting may be held without prior written notice, if each alderman, town chairman or designee of the chairman, village president and mayor under sub. (2) (b) is notified by telephone or other means as far as possible in advance of such meeting and if each town chairman or designee of the chairman, village president and mayor and a majority of the aldermen under sub. (2) are present and consent or if every such person consents in writing even though he or she does not attend.

(b) If a town chairman or designee of the chairman, village president or mayor under sub. (2) (b) is temporarily incapacitated by illness or accident or will be absent from the school district at the time of the meeting of the fiscal board, he or she shall so notify the town board, village board or common council which then may appoint and certify in writing to the city clerk at the meeting of the fiscal board a suitable person to attend the meeting and to vote in the place of the town chairman or designee of the chairman, village president or mayor under sub. (2) (b).
