

February 25, 1955.
Schools, Libraries,
State Educational Institutions.

House File 483
By PENDLETON and WHITNEY.

Passed House, Date.....
Vote: Ayes..... Nays.....
Passed Senate, Date.....
Vote: Ayes..... Nays.....
Approved

A BILL FOR

An Act to amend various sections of chapter two hundred seventy-five (275), Code 1954, relating to reorganization of school districts.

Be It Enacted by the General Assembly of the State of Iowa:

1 Section 1. Section two hundred seventy-five point ten
2 (275.10), Code 1954, is hereby repealed.

1 Sec. 2. Section two hundred seventy-five point eleven
2 (275.11), Code 1954, is hereby amended by striking in line
3 three (3) thereof the word "three" and inserting in lieu
4 thereof the word "two".

1 Sec. 3. Section two hundred seventy-five point sixteen
2 (275.16), Code 1954, is hereby amended by adding in line five
3 (5) thereof after the word "meeting" the following:
4 " , within ten (10) days from the date of filing the
5 petition,".

1 Sec. 4. Section two hundred seventy-five point twenty
2 (275.20), Code 1954, is hereby amended by striking the semi-
3 colon (;) in the ninth (9th) line from the end of said section
4 and inserting in lieu thereof a period (.) and striking the

5 remainder of the sentence.

1 Sec. 5. Section two hundred seventy-five point twenty-four
2 (275.24), Code 1951, is hereby amended by striking in line four
3 (4) thereof the following: "in section 275.10 or the method
4 provided".

1 Sec. 6. Section two hundred seventy-five point twenty-five
2 (275.25), Code 1954, is hereby amended by striking in the second
3 paragraph thereof lines one (1) to nine (9) inclusive.

EXPLANATION OF H. F. 483

It is felt that the proposed changes will make the school reorganization laws more workable.

1 Amend House File 483 by striking all after the enacting
2 clause and inserting the following:

3 Section 1. Section two hundred seventy-five point nine
4 (275.9), Code 1954, is hereby amended by striking from lines
5 five (5) and six (6) the words "one of the methods" and inserting
6 in lieu thereof the words "the method".

7 Further amend said section by adding at the end thereof the
8 following: "The provisions of sections two hundred seventy-five
9 point one (275.1) to two hundred seventy-five point five (275.5)
10 relating to studies, surveys, hearings and adoption of county
11 plans shall constitute a mandatory prerequisite to the effectuation
12 of any proposal for district enlargement, reorganization, or
13 boundary change. Joint districts may be formed only pursuant to
14 joint planning by the county boards of education of counties wherein
15 territory to be included in such joint district is located. It
16 shall be the mandatory duty of the county board or joint county
17 boards to dismiss the petition if the above provisions are not
18 complied with fully."

19 Sec. 2. Section two hundred seventy-five point ten (275.10),
20 Code 1954, is hereby repealed.

21 Sec. 3. Section two hundred seventy-five point eleven (275.11),
22 Code 1954, is hereby amended by striking in line three (3) thereof
23 the word "three" and inserting in lieu thereof the word "two".

24 Sec. 4. Section two hundred seventy-five point twelve
25 (275.12), Code 1954, is amended by striking from line five (5) the
26 words "at least one-third of the voters residing within such
27 proposed boundary" and inserting in lieu thereof the words "voters
28 in each existing school district affected or portion thereof
29 equal in number to at least ten percent (10%) of the number of
30 votes cast at the last regular school election".

31 Sec. 5. Section two hundred seventy-five point thirteen
32 (275.13), Code 1954, is hereby repealed.

33 Sec. 6. Section two hundred seventy-five point sixteen
34 (275.16), Code 1954, is hereby amended by adding in line five (5)
35 thereof after the word "meeting" the following: ", within ten
36 ~~(10) days from the date of filing the petition,~~".

37 Sec. 7. Section two hundred seventy-five point twenty
(275.20), Code 1954, is hereby amended by striking from lines one
(1) to six (6) the words "When it is proposed to include in such
district a school corporation containing a city, town or village
with a population of two hundred or more inhabitants, the voters
residing upon the territory outside the limits of such school
corporation shall vote separately" and inserting in lieu thereof
the words "The voters residing within the proposed boundaries shall
vote separately".

Further amend section two hundred seventy-five point twenty
(275.20), Code 1954, by striking all of said section after the word
48 "district." in line twelve (12) and inserting in lieu thereof the
49 following: "If the proposition receives a majority of the votes cast
50 in each of at least seventy-five percent (75%) of the said districts
51 or portions thereof, and also a majority of the total number of
52 votes cast in all of said districts and portions thereof, the
53 proposition shall be deemed carried."

54 Sec. 8. Section two hundred seventy-five point twenty-one
55 (275.21), Code 1954, is hereby repealed.

56 Sec. 9. Section two hundred seventy-five point twenty-four
57 (275.24), Code 1954, is hereby amended by striking in line four
58 (4) thereof the following: "in section 275.10 or the method
59 provided".

60 Sec. 10. Section two hundred seventy-five point twenty-five
61 (275.25), Code 1954, is hereby amended by striking in the second
62 paragraph thereof lines one (1) to nine (9) inclusive and
63 inserting in lieu thereof the following: "Provided, however,
64 in cases involving two districts only, where the population of
65 the new district does not exceed the population of the more
66 populous of said districts by more than twenty-five percent (25%)
67 the incumbent board members of said district shall continue to
68 hold office as directors of the new district for the balance of
69 their elective terms"

70 Sec. 11. Section two hundred seventy-five point twenty-six
71 (275.26), Code 1954, is amended by striking from lines two (2)
72 and three (3) the words "by either of said methods."

1 Amend the committee amendment to House File 483, filed March
2 16, as follows:
3 1. Amend line nine (9) by striking the following: "seventy-
4 five point five (275.5)" and inserting in lieu thereof the
5 following: "seventy-five point four (275.4), inclusive."
6 2. Amend line twenty-five (25) by striking the following:
7 "line five (5)", and inserting in lieu thereof the following:
8 "lines five (5), six (6), and seven (7)".
9 3. Amend line twenty-seven (27) by striking the word
10 "boundary" and inserting in lieu thereof the word "boundaries".

Filed
March 17, 1955.

MILLEN of Black Hawk.

1 Amend the Committee Amendment to House File 483, filed March
2 16, 1955, as follows:
3 1. Strike all of section seven (7) and insert in lieu
4 thereof the following:
5 "The voters residing within each school district all or any
6 portion of which is included within the boundaries of the
7 proposed new school corporation shall vote separately upon the
8 proposition to establish such new school corporation. A majority
9 of the votes cast by the qualified electors in each of at least
10 seventy-five per cent (75%) of said districts and a majority of
11 the total number of votes cast in all of said districts shall be
12 sufficient to carry the proposition and to establish the new
13 school corporation. Provided, however, that in the event the
14 proposed school corporation, if established, would include
15 territory in which there resided more than five hundred (500)
16 persons of school age who were enrolled in public schools in the
17 preceding school year, a majority of the votes cast by the
18 qualified electors in each such district shall be required to
19 establish the new school corporation."
20 2. Add the following as a new section:
21 "Section two hundred seventy-five point twenty-three (275.23),
22 Code 1954, is hereby amended by striking all of said section after
23 the period following the word "office" in line five (5).".

Filed
March 31, 1955.

PETRUCELLIE of Scott.

1 Amend the Committee Amendment to House File 483, filed March
2 16, 1955, as follows:
3 1. Strike all of section seven (7) and insert in lieu
4 thereof the following:
5 "The voters residing within each school district all or any
6 portion of which is included within the boundaries of the proposed
7 new school corporation shall vote separately upon the proposition
8 to establish such new school corporation. A majority of the
9 votes cast by the qualified electors in each of at least
10 seventy-five per cent (75%) of said districts and a majority of
11 the total number of votes cast in all of said districts shall be
12 sufficient to carry the proposition and to establish the new
13 school corporation. Provided, however, that in the event the
14 proposed school corporation, if established, would include
15 territory situated in more than one (1) civil township, a
16 majority of the votes cast by the qualified electors in each such
17 district shall be required to establish the new school
18 corporation."
19 2. Add the following as a new section:
20 "Section two hundred seventy-five point twenty-three (275.23),
21 Code 1954, is hereby amended by striking all of said section
22 after the period following the word "office" in line five (5).".

Filed
April 1, 1955.

FREY of Pottawattamie.

1 Amend House File 483 by adding the following new sections
2 at the end of the bill:

3 Sec. 7. Chapter two hundred seventy-five (275), Code
4 1954, is amended by adding the following new section: "When
5 a city with a population of ten thousand (10,000) or more,
6 as determined by the last preceding census, extends its
7 corporate limits so as to include the whole or a part of a
8 contiguous school district, the boundaries of the districts
9 may be changed by concurrent action of the boards of directors
10 of the affected districts so that all or a part of the territory
11 included within the boundaries of such city, so extended,
12 shall become a part of the school district therein. The
13 concurrent action of the boards to become effective shall
14 have the approval of the county board of education and the
15 state department of public instruction. A change of boundaries
16 under this section shall not be construed to effect the
17 creation of a new school corporation."

18 Sec. 8. Section two hundred seventy-five point five
19 (275.5), Code 1954, is hereby amended by adding the following:
20 "If such proposal provides for the reducing of an existing
21 consolidated school district to less than sixteen sections
22 and more than four sections and such proposal is put into
23 effect by election by one of the methods hereinafter provided,
24 this shall effect the dissolution of such consolidated school
25 district and the remaining territory shall be organized as an
26 independent school district after the division of assets and
27 liabilities."

28 Sec. 9. Section two hundred seventy-five point eight
29 (275.8), Code 1954, is hereby amended by striking from lines
30 nine (9) and ten (10) the following words: "by an aggrieved
31 party to the controversy," and substituting in lieu thereof
32 the following: "by any of the county boards of education
33 involved in the controversy,".

34 Sec. 10. Section two hundred seventy-five point fifteen
35 (275.15), Code 1954, is hereby amended by adding thereto the
36 following: "Any aggrieved party may appeal therefrom to a
37 court of record in the county in which the petition was filed
38 within thirty days from the publication of the decision as
39 provided in this section. An aggrieved party is defined as any
40 person residing on or owning land within the territory described
41 in the petition or who would be injuriously affected by the
42 change petitioned for."

43 Sec. 11. Section two hundred seventy-five point sixteen
44 (275.16), Code 1954, is hereby amended by adding thereto the
45 following: "Any aggrieved party may appeal therefrom to a
46 court of record in the county in which the petition was filed
47 within thirty days from the publication of the decision as
48 provided in this section. An aggrieved party is defined as
49 any person residing on or owning land within the territory
50 described in the petition or who would be injuriously affected
51 by the change petitioned for."

Filed
April 22, 1955.

FREED of Webster.

1 Amend House File 483 by adding the following
2 section:
3 "This Act being deemed of immediate importance
4 shall take effect and be in force from and after its passage
5 and publication in the Pierson Progress, a newspaper published
6 in Pierson, Iowa, and in the Burlington Hawk-Eye Gazette,
7 a newspaper published in Burlington, Iowa."

Filed
April 27, 1955.

MULLER of Woodbury.
CONN of Des Moines