

House Amendment 1055

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1 1 Amend House File 118 as follows:
1 2 #1. By striking everything after the enacting
1 3 clause and inserting the following:
1 4 <Section 1. Section 275.15, unnumbered paragraph
1 5 1, Code 2005, is amended to read as follows:
1 6 At the hearing, which shall be held within ten days
1 7 of the final date set for filing objections,
1 8 interested parties, both petitioners and objectors,
1 9 may present evidence and arguments, and the area
1 10 education agency board shall review the matter on its
1 11 merits ~~and within.~~ Within ten days after the
1 12 conclusion of any hearing, shall rule on the
~~1 13 objections and the area education agency board shall~~
~~1 14 rule on the objections and shall issue its~~
~~1 15 recommendations regarding the boundaries. Within~~
~~1 16 sixty days after the issuance of its recommendations,~~
~~1 17 the area education agency board shall enter an order~~
1 18 fixing the boundaries for the proposed school
1 19 corporation as will in its judgment be for the best
1 20 interests of all parties concerned, having due regard
1 21 for the welfare of adjoining districts, or dismiss the
1 22 petition. However, if an appeal has been filed with
~~1 23 the state board of education pursuant to section~~
~~1 24 275.17A, subsection 5, the area education agency board~~
~~1 25 shall not enter an order fixing the boundaries until~~
~~1 26 the state board issues its final decision.~~
1 27 Sec. 2. NEW SECTION. 275.17A PETITION TO JOIN
1 28 CONTIGUOUS SCHOOL DISTRICT.
1 29 1. For the school year commencing July 1, 2006,
1 30 and each succeeding school year, a person owning land
1 31 within the territory described in a petition filed in
1 32 accordance with section 275.12 may, within fifteen
1 33 days after the publication of a board ruling and
1 34 issuance of its recommendations regarding the
1 35 boundaries under section 275.15 or, if a controversy
1 36 arises and a party brings the controversy to the
1 37 department of education under section 275.16, within
1 38 twenty days after the decision of the department of
1 39 education under section 275.16, petition the
1 40 appropriate area education agency administrator to
1 41 join a school district that is contiguous to the
1 42 person's land.
1 43 2. Any person owning land that is contiguous to
1 44 the land owned by a person who files a petition to
1 45 join a contiguous school district in accordance with
1 46 subsection 1 may also file a petition to join the same
1 47 school district within the same time period specified
1 48 in subsection 1. However, not more than five
1 49 petitions submitted pursuant to this subsection shall
1 50 be approved by a school district under subsection 3.
2 1 3. The board of directors of a school district
2 2 that receives a petition to join the school district
2 3 in accordance with subsections 1 and 2 shall take
2 4 action on the petition within thirty days of the
2 5 filing. Petitions shall be reviewed on a first come,
2 6 first served basis. Petitions may only be approved
2 7 until the property tax valuation of the land described
2 8 in the petitions exceeds five percent of the property
2 9 tax valuation of the proposed reorganized area. If a
2 10 petition is approved by the board, the board shall
2 11 notify the secretary of state and the area education
2 12 agency in the proposed reorganized area of its
2 13 approval within ten days of its action and the
2 14 secretary of state shall redraw the boundaries
2 15 specified for the proposed reorganized area to remove
2 16 the land area specified in the petition.
2 17 4. If the property tax valuation of the land
2 18 excluded from the proposed reorganized area in
2 19 accordance with this section reaches five percent of
2 20 the property tax valuation of the proposed reorganized
2 21 area, the area education agency in the proposed
2 22 reorganized area shall notify the board of directors
2 23 of the school district that the property tax valuation
2 24 limit specified in subsection 3 has been reached.

2 25 5. The board of directors of a school district may
2 26 appeal the decision of the contiguous school district
2 27 to the state board of education under chapter 290.
2 28 6. If the proposed reorganized area as redrawn by
2 29 the secretary of state is determined by the area
2 30 education agency board to comply with the plans which
2 31 were adopted by the board in accordance with section
2 32 275.5, the area education administrator shall proceed
2 33 as provided under section 275.18.
2 34 Sec. 3. Section 275.54, unnumbered paragraph 2,
2 35 Code 2005, is amended to read as follows:
2 36 ~~if~~ Except as provided in section 275.54A, if a
2 37 dissolution proposal adopted by a board contains
2 38 provisions that ninety-five percent or more of the
2 39 taxable valuation of the dissolving district would be
2 40 assumed and attached to a single school district, the
2 41 dissolving school district shall cease further
2 42 proceedings to dissolve and shall comply with
2 43 reorganization procedures specified in this chapter.
2 44 Sec. 4. NEW SECTION. 275.54A PETITION TO JOIN A
2 45 CONTIGUOUS SCHOOL DISTRICT.
2 46 1. Not later than twenty days following the date
2 47 of the final hearing on the dissolution proposal, a
2 48 person owning land within the territory described in
2 49 the petition may petition the appropriate area
2 50 education agency administrator to join a school
3 1 district that is contiguous to the person's land.
3 2 2. Any person owning land that is contiguous to
3 3 the land owned by a person who files a petition to
3 4 join a contiguous school district in accordance with
3 5 subsection 1 may also file a petition to join the same
3 6 school district within the same time period specified
3 7 in subsection 1.
3 8 3. The board of directors of a school district
3 9 that receives a petition to join the school district
3 10 in accordance with this section shall take action on
3 11 the petition within fifteen days of the filing. If a
3 12 petition is approved by the board, the board shall
3 13 notify the appropriate area education agency
3 14 administrator and that portion of the dissolution
3 15 proposal shall not be included in the proposal voted
3 16 upon under section 275.55 and the director of the
3 17 department of education shall attach the area to the
3 18 contiguous school district.>
3 19 #2. Title page, line 1, by inserting after the
3 20 word <reorganization> the following: <and
3 21 dissolution>.
3 22 #3. Title page, line 2, by inserting after the
3 23 word <reorganizing> the following: <or dissolving>.
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3 27 _____
3 27 COMMITTEE ON EDUCATION
3 28 TYMESON of Madison, Chairperson
3 29 HF 118.302 81
3 30 kh/cf/1910