

FEB 23 1982

HOUSE FILE 2376

Place On Calendar

BY COMMITTEE ON EDUCATION

(Formerly House File 2178)

Passed House, Date 3-4-82 (p. 651) Passed Senate, Date _____

Vote: Ayes 95 Nays 1 Vote: Ayes _____ Nays _____

Approved _____

A BILL FOR

1 An Act relating to the boundary lines of merged areas and
2 area education agencies and providing that the Act takes
3 effect upon its publication.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

5

HOUSE FILE 2376

H-5274

1 Amend House File 2376 as follows:

2 1. Page 4, by inserting after line 18 the
3 following:

4 "Sec. ____ Section 280A.22, Code 1981, is amended
5 by adding the following new unnumbered paragraph after
6 unnumbered paragraph 2.

7 NEW UNNUMBERED PARAGRAPH. If the boundary lines
8 of a merged area are changed, the levy of the annual
9 tax provided in this section sufficient to pay the
10 amount due for a loan agreement and the interest on
11 the loan agreement to maturity shall continue in any
12 territory severed from the merged area until the loan
13 with interest on the loan has been paid in full."

14 2. By numbering and renumbering sections as
15 necessary.

H-5274 FILED MARCH 1, 1982

BY BYERLY of Polk

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1 Section 1. Section 273.2, unnumbered paragraph 1, Code
2 1981, is amended to read as follows:

3 There ~~is~~ are established ~~in each of the several merged~~
4 ~~areas of~~ throughout the state ~~an area education agency,~~ fifteen
5 area education agencies, each of which is governed by an area
6 education agency board of directors. The area education
7 ~~agency shall have boundaries which are coterminous with the~~
8 ~~boundaries of the merged areas as provided in chapter 280A.~~
9 The boundaries of an area education agency shall not divide
10 a school district. The state board of public instruction
11 shall change boundaries of area education agencies to take
12 into account mergers of local school districts and changes
13 in boundaries of local school districts, when necessary to
14 maintain the policy of this chapter that a local school
15 district shall not be a part of more than one area education
16 agency.

17 Sec. 2. Section 273.3, subsection 13, Code 1981, is amended
18 to read as follows:

19 13. Prepare an annual budget estimating income and
20 expenditures for programs and services as provided in sections
21 273.1 to 273.9 and chapter 281 within the limits of funds
22 provided under section 281.9 and chapter 442. The board shall
23 give notice of a public hearing on the proposed budget by
24 publication in an official county newspaper in each county
25 located wholly or partially in the territory of the merged
26 area education agency. The notice shall specify the date
27 which shall be not later than November 10 of each year, time,
28 and location of the public hearing. The proposed budget as
29 approved by the board shall then be submitted to the state
30 board of public instruction, on forms provided by the
31 department, no later than December 1 preceding the next fiscal
32 year for approval. The state board shall review the proposed
33 budget of each area education agency and shall prior to January
34 1 either grant approval or return the budget without approval
35 with comments of the state board included. Any unapproved

1 budget shall be resubmitted to the state board for final
2 approval.

3 Sec. 3. Section 273.3, subsection 17, Code 1981, as amended
4 by Acts of the Sixty-ninth General Assembly, 1981 Session,
5 chapter 87, section 1, is amended to read as follows:

6 17. Meet at least annually with the members of the ~~board~~
7 boards of directors of the merged ~~area~~ areas in which the
8 area education agency is located to discuss co-ordination
9 of programs and services and other matters of mutual interest
10 to the ~~two~~ boards.

11 Sec. 4. Section 273.8, subsection 1, Code 1981, is amended
12 by striking the subsection and inserting in lieu thereof the
13 following:

14 1. BOARD OF DIRECTORS. The board of directors of an area
15 education agency shall consist of not less than five nor more
16 than nine members, each a resident of and elected in the
17 manner provided in this section from a director district that
18 is approximately equal in population to the other director
19 districts in the area education agency. Each director shall
20 serve a three-year term which expires on the first Monday
21 in October.

22 Sec. 5. Section 273.8, subsection 2, unnumbered paragraph
23 1, Code 1981, is amended by striking the unnumbered paragraph.

24 Sec. 6. Section 273.8, Code 1981, is amended by adding
25 the following new subsections:

26 NEW SUBSECTION. CHANGE IN DIRECTORS. The board of an
27 area education agency may change the number of directors on
28 the board and shall make corresponding changes in the
29 boundaries of director districts. Changes shall be completed
30 not later than July 1 of a fiscal year for the director
31 district conventions to be held the following September.

32 NEW SUBSECTION. BOUNDARY LINE CHANGES. To the extent
33 possible the board shall provide that changes in the boundary
34 lines of director districts of area education agencies shall
35 not lengthen or diminish the term of office of a director

1 of an area education agency board. Initial terms of office
2 shall be set by the board so that as nearly as possible the
3 terms of one-third of the members expire annually.

4 NEW SUBSECTION. CENSUS CHANGES. The board of the area
5 education agency shall redraw boundary lines of director
6 districts in the area education agency after each census to
7 compensate for changes in population if changes in population
8 have taken place.

9 Where feasible, boundary lines of director districts shall
10 coincide with the boundary lines of school districts and the
11 boundary lines of election precincts established pursuant
12 to sections 49.3 through 49.6.

13 Sec. 7. Section 280A.4, Code 1981, is amended to read
14 as follows:

15 280A.4 DIVISION OF COUNTY SYSTEMS. Upon recommendation
16 of the county board of education and approval by the state
17 board in an area plan, a county school system may be divided
18 to permit parts of the system to merge with one or more merged
19 areas in establishing an area vocational school or area
20 community college. When division is permitted, the county
21 school system shall be divided along local school district
22 boundaries. No A local school district shall not be a part
23 of more than one merged area during the initial establishment
24 of a merged area. The county board of education shall be
25 the planning board for any portion of the county school system
26 which is to become a part of a merged area.

27 Sec. 8. Section 280A.12, Code 1981, is amended by adding
28 the following new unnumbered paragraph:

29 NEW UNNUMBERED PARAGRAPH. Director districts shall be
30 of approximately equal population within each merged area.

31 Sec. 9. Chapter 280A, Code 1981, is amended by adding
32 the following new section after section 280A.13:

33 NEW SECTION. DIRECTOR DISTRICTS.

34 1. The board of a merged area may change the number of
35 directors on the board and shall make corresponding changes

1 in the boundaries of director districts. Changes shall be
 2 completed not later than July 1 of a fiscal year for the
 3 regular school election to be held the next following
 4 September.

5 2. The board of the merged area shall redraw boundary
 6 lines of director districts in the merged area after each
 7 census to compensate for changes in population if changes
 8 in population have taken place.

9 3. Where feasible boundary lines of director districts
 10 shall coincide with the boundary lines of school districts
 11 and the boundary lines of election precincts established
 12 pursuant to sections 49.3 through 49.6.

13 4. To the extent possible the board shall provide that
 14 changes in the boundary lines of director districts of merged
 15 areas do not lengthen or diminish the term of office of a
 16 director of the board. Initial terms of office shall be set
 17 by the board so that as nearly as possible the terms of one-
 18 third of the members expire annually.

19 Sec. 10. Section 280A.25, subsections 2 and 3, Code 1981,
 20 are amended to read as follows:

21 2. Change boundaries of director districts in any merged
 22 area when the ~~commission~~ board fails to change boundaries
 23 as required by law.

24 ~~3. Change boundaries of merged areas to take into account~~
 25 ~~mergers of local school districts and changes in boundaries~~
 26 ~~of local school districts, when necessary to maintain the~~
 27 ~~policy of this chapter that no local school district shall~~
 28 ~~be a part of more than one merged area.~~ The state board may
 29 also make ~~other~~ changes in boundaries of merged areas with
 30 the approval of the board of directors of each merged area
 31 affected by the change. ~~At any time when~~ When the boundaries
 32 of a merged area are so changed, the state board may authorize
 33 the board of directors of the merged area to levy additional
 34 taxes upon the property within the merged area, or any part
 35 thereof of the merged area, and distribute the same taxes

1 so that all parts of the merged area are paying their share
2 toward the support of the school or college.

3 Sec. 11. Sections 280A.28 and 280A.29, Code 1981, are
4 repealed.

5 Sec. 12. This Act, being deemed of immediate importance,
6 takes effect from and after its publication in the Estherville
7 Daily News, a newspaper published in Estherville, Iowa, and
8 in the Storm Lake Register, a newspaper published in Storm
9 Lake, Iowa.

10 EXPLANATION

11 This bill removes the requirement that the area education
12 agency and area school boundary lines be coterminous and
13 strikes the requirement that the merged area school boundary
14 lines cannot divide school districts. Each board determines
15 the boundary lines of its director districts. Area education
16 agency boundaries must not divide school districts. The Act
17 takes effect upon its publication.

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Adopted 3/4 (p. 657)
H-5266

- 1 Amend House File 2376 as follows:
- 2 1. Page 3, by striking lines 13 through 26.
- 3 2. Page 3, by inserting after line 30 the
- 4 following:
- 5 "Sec. ____ . Section 280A.16, Code 1981, is amended
- 6 by adding the following new unnumbered paragraph:
- 7 NEW UNNUMBERED PARAGRAPH. The boundary lines of
- 8 a merged area may divide a school district."
- 9 3. Page 5, line 3, by inserting after the word
- 10 "Sections" the figure "280A.4,".

H-5266 FILED FEBRUARY 25, 1982 BY SPEAR of Lee

Adopted 3/4 (p. 656)

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LSB 3941H 69

db/sc/14

S. Fl 2/10 Do Pass 3/22 (p. 863)

HOUSE FILE 2376

Education
Brown, Chair
Dreeszen
Jensen

HOUSE FILE 2376

BY COMMITTEE ON EDUCATION

(As Amended and Passed by the House)

Passed House, Date 3-4-82 (p. 657) Passed Senate, Date 4-2-82 (p. 1002)
Vote: Ayes 95 Nays 1 Vote: Ayes 48 Nays 0
Approved April 19, 1982

A BILL FOR

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2 area education agencies and providing that the Act takes
3 effect upon its publication.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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House Amendments _____
Stricken Language *

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2 1981, is amended to read as follows:

3 ~~There is~~ are ~~established in each of the several merged~~
4 ~~areas of~~ throughout the state ~~an area education agency,~~ fifteen
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10 a school district. The state board of public instruction
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12 into account mergers of local school districts and changes
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15 district shall not be a part of more than one area education
16 agency.

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20 expenditures for programs and services as provided in sections
21 273.1 to 273.9 and chapter 281 within the limits of funds
22 provided under section 281.9 and chapter 442. The board shall
23 give notice of a public hearing on the proposed budget by
24 publication in an official county newspaper in each county
25 located wholly or partially in the territory of the merged
26 area education agency. The notice shall specify the date
27 which shall be not later than November 10 of each year, time,
28 and location of the public hearing. The proposed budget as
29 approved by the board shall then be submitted to the state
30 board of public instruction, on forms provided by the
31 department, no later than December 1 preceding the next fiscal
32 year for approval. The state board shall review the proposed
33 budget of each area education agency and shall prior to January
34 1 either grant approval or return the budget without approval
35 with comments of the state board included. Any unapproved

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2 approval.

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9 of programs and services and other matters of mutual interest
10 to the ~~two~~ boards.

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16 than nine members, each a resident of and elected in the
17 manner provided in this section from a director district that
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20 serve a three-year term which expires on the first Monday
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28 the board and shall make corresponding changes in the
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1 of an area education agency board. Initial terms of office
2 shall be set by the board so that as nearly as possible the
3 terms of one-third of the members expire annually.

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6 districts in the area education agency after each census to
7 compensate for changes in population if changes in population
8 have taken place.

9 Where feasible, boundary lines of director districts shall
10 coincide with the boundary lines of school districts and the
11 boundary lines of election precincts established pursuant
12 to sections 49.3 through 49.6.

* 13 Sec. 7. Section 280A.12, Code 1981, is amended by adding
14 the following new unnumbered paragraph:

15 NEW UNNUMBERED PARAGRAPH. Director districts shall be
16 of approximately equal population within each merged area.

17 Sec. 8. Section 280A.16, Code 1981, is amended by adding
18 the following new unnumbered paragraph:

19 NEW UNNUMBERED PARAGRAPH. The boundary lines of a merged
20 area may divide a school district.

21 Sec. 9. Chapter 280A, Code 1981, is amended by adding
22 the following new section after section 280A.13:

23 NEW SECTION. DIRECTOR DISTRICTS.

24 1. The board of a merged area may change the number of
25 directors on the board and shall make corresponding changes
26 in the boundaries of director districts. Changes shall be
27 completed not later than July 1 of a fiscal year for the
28 regular school election to be held the next following
29 September.

30 2. The board of the merged area shall redraw boundary
31 lines of director districts in the merged area after each
32 census to compensate for changes in population if changes
33 in population have taken place.

34 3. Where feasible boundary lines of director districts
35 shall coincide with the boundary lines of school districts

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2 pursuant to sections 49.3 through 49.6.

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7 by the board so that as nearly as possible the terms of one-
8 third of the members expire annually.

9 Sec. 10. Section 280A.22, Code 1981, is amended by adding
10 the following new unnumbered paragraph after unnumbered
11 paragraph 2.

12 NEW UNNUMBERED PARAGRAPH. If the boundary lines of a
13 merged area are changed, the levy of the annual tax provided
14 in this section sufficient to pay the amount due for a loan
15 agreement and the interest on the loan agreement to maturity
16 shall continue in any territory severed from the merged area
17 until the loan with interest on the loan has been paid in
18 full.

19 Sec. 11. Section 280A.25, subsections 2 and 3, Code 1981,
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21 2. Change boundaries of director districts in any merged
22 area when the ~~commission~~ board fails to change boundaries
23 as required by law.

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29 also make other changes in boundaries of merged areas with
30 the approval of the board of directors of each merged area
31 affected by the change. ~~At any time when~~ When the boundaries
32 of a merged area are so changed, the state board may authorize
33 the board of directors of the merged area to levy additional
34 taxes upon the property within the merged area, or any part
35 thereof of the merged area, and distribute the same taxes

1 so that all parts of the merged area are paying their share
2 toward the support of the school or college.

3 Sec. 12. Sections 280A.4, 280A.28 and 280A.29, Code 1981,
4 are repealed.

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6 takes effect from and after its publication in the Estherville
7 Daily News, a newspaper published in Estherville, Iowa, and
8 in the Storm Lake Register, a newspaper published in Storm
9 Lake, Iowa.

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HOUSE FILE 2376

AN ACT

RELATING TO THE BOUNDARY LINES OF MERGED AREAS AND AREA
EDUCATION AGENCIES AND PROVIDING THAT THE ACT TAKES
EFFECT UPON ITS PUBLICATION.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 273.2, unnumbered paragraph 1, Code 1981, is amended to read as follows:

~~There is~~ are established ~~in each of the several merged areas of throughout~~ the state ~~an area education agency, fifteen area education agencies, each of which is~~ governed by an area education agency board of directors. ~~The area education agency shall have boundaries which are coterminous with the boundaries of the merged areas as provided in chapter 280A. The boundaries of an area education agency shall not divide a school district. The state board of public instruction shall change boundaries of area education agencies to take into account mergers of local school districts and changes in boundaries of local school districts, when necessary to maintain the policy of this chapter that a local school district shall not be a part of more than one area education agency.~~

Sec. 2. Section 273.3, subsection 13, Code 1981, is amended to read as follows:

13. Prepare an annual budget estimating income and expenditures for programs and services as provided in sections 273.1 to 273.9 and chapter 281 within the limits of funds provided under section 281.9 and chapter 442. The board shall give notice of a public hearing on the proposed budget by publication in an official county newspaper in each county located wholly or partially in the territory of the merged area education agency. The notice shall specify the date which shall be not later than November 10 of each year, time, and location of the public hearing. The proposed budget as

approved by the board shall then be submitted to the state board of public instruction, on forms provided by the department, no later than December 1 preceding the next fiscal year for approval. The state board shall review the proposed budget of each area education agency and shall prior to January 1 either grant approval or return the budget without approval with comments of the state board included. Any unapproved budget shall be resubmitted to the state board for final approval.

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17. Meet at least annually with the members of the ~~board~~ boards of directors of the merged ~~area areas~~ in which the area education agency is located to discuss co-ordination of programs and services and other matters of mutual interest to the ~~two~~ boards.

Sec. 4. Section 273.8, subsection 1, Code 1981, is amended by striking the subsection and inserting in lieu thereof the following:

1. BOARD OF DIRECTORS. The board of directors of an area education agency shall consist of not less than five nor more than nine members, each a resident of and elected in the manner provided in this section from a director district that is approximately equal in population to the other director districts in the area education agency. Each director shall serve a three-year term which expires on the first Monday in October.

Sec. 5. Section 273.8, subsection 2, unnumbered paragraph 1, Code 1981, is amended by striking the unnumbered paragraph.

Sec. 6. Section 273.8, Code 1981, is amended by adding the following new subsections:

NEW SUBSECTION. CHANGE IN DIRECTORS. The board of an area education agency may change the number of directors on the board and shall make corresponding changes in the boundaries of director districts. Changes shall be completed not later than July 1 of a fiscal year for the director district conventions to be held the following September.

NEW SUBSECTION. BOUNDARY LINE CHANGES. To the extent possible the board shall provide that changes in the boundary lines of director districts of area education agencies shall not lengthen or diminish the term of office of a director of an area education agency board. Initial terms of office shall be set by the board so that as nearly as possible the terms of one-third of the members expire annually.

NEW SUBSECTION. CENSUS CHANGES. The board of the area education agency shall redraw boundary lines of director districts in the area education agency after each census to compensate for changes in population if changes in population have taken place.

Where feasible, boundary lines of director districts shall coincide with the boundary lines of school districts and the boundary lines of election precincts established pursuant to sections 49.3 through 49.6.

Sec. 7. Section 280A.12, Code 1981, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. Director districts shall be of approximately equal population within each merged area.

Sec. 8. Section 280A.16, Code 1961, is amended by adding the following new unnumbered paragraph:

NEW UNNUMBERED PARAGRAPH. The boundary lines of a merged area may divide a school district.

Sec. 9. Chapter 280A, Code 1981, is amended by adding the following new section after section 280A.13:

NEW SECTION. DIRECTOR DISTRICTS.

1. The board of a merged area may change the number of directors on the board and shall make corresponding changes in the boundaries of director districts. Changes shall be completed not later than July 1 of a fiscal year for the regular school election to be held the next following September.

2. The board of the merged area shall redraw boundary lines of director districts in the merged area after each census to compensate for changes in population if changes in population have taken place.

3. Where feasible boundary lines of director districts shall coincide with the boundary lines of school districts and the boundary lines of election precincts established pursuant to sections 49.3 through 49.6.

4. To the extent possible the board shall provide that changes in the boundary lines of director districts of merged areas do not lengthen or diminish the term of office of a director of the board. Initial terms of office shall be set by the board so that as nearly as possible the terms of one-third of the members expire annually.

Sec. 10. Section 280A.22, Code 1981, is amended by adding the following new unnumbered paragraph after unnumbered paragraph 2:

NEW UNNUMBERED PARAGRAPH. If the boundary lines of a merged area are changed, the levy of the annual tax provided in this section sufficient to pay the amount due for a loan agreement and the interest on the loan agreement to maturity shall continue in any territory severed from the merged area until the loan with interest on the loan has been paid in full.

Sec. 11. Section 280A.25, subsections 2 and 3, Code 1981, are amended to read as follows:

2. Change boundaries of director districts in any merged area when the ~~commission board~~ fails to change boundaries as required by law.

3. ~~Change boundaries of merged areas to take into account mergers of local school districts and changes in boundaries of local school districts, when necessary to maintain the policy of this chapter that no local school district shall be a part of more than one merged area.~~ The state board may also make other changes in boundaries of merged areas with the approval of the board of directors of each merged area affected by the change. ~~At any time when~~ When the boundaries of a merged area are ~~so~~ changed, the state board may authorize the board of directors of the merged area to levy additional taxes upon the property within the merged area, or any part thereof of the merged area, and distribute the ~~same~~ taxes

so that all parts of the merged area are paying their share toward the support of the school or college.

Sec. 12. Sections 280A.4, 280A.28 and 280A.29, Code 1981, are repealed.

Sec. 13. This Act, being deemed of immediate importance, takes effect from and after its publication in the Estherville Daily News, a newspaper published in Estherville, Iowa, and in the Storm Lake Register, a newspaper published in Storm Lake, Iowa.

DELWYN STROMER
Speaker of the House

TERRY E. BRANSTAD
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2376, Sixty-ninth General Assembly.

ELIZABETH A. ISAACSON
Chief Clerk of the House

Approved April 19, 1982

ROBERT D. RAY
Governor