

Sen. Education 4/5/83 No Pass 4/7 (p. 1143)

HOUSE FILE 477

Education
Horn. Chair
Ritsema
Wells

14 1983

HOUSE FILE

477

BY COMMITTEE ON EDUCATION

Place On Calendar

(Formerly Study Bill 287)

Passed House, Date 2-31-83 (p. 987) Passed Senate, Date 4-18-83

Vote: Ayes 95 Nays 0 Vote: Ayes 44 Nays 0

Repassed House as amended 4-20-83 (p. 1433) 93-0
Approved May 6, 1983 (p. 1714)
Motion to rescind (p. 1257) prevailed 4/18
Repassed Senate 4-18-83 (p. 1290) 45-0

A BILL FOR

1 An Act to prohibit the filing of school district reorganiza-
2 tion petitions with an area education agency within six
3 months after the occurrence of certain conditions.

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

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HF 477

1 Section 1. Section 275.12, subsection 1, Code 1983, is
2 amended to read as follows:

3 1. A petition describing the boundaries, or accurately
4 describing the area included therein by legal descriptions,
5 of the proposed district, which boundaries or area described
6 shall conform to plans developed or the petition shall request
7 change of the plan, shall be filed with the area education
8 agency administrator of the area education agency in which
9 the greatest number of electors reside. However, the area
10 education agency administrator shall not accept a petition
11 if any of the school districts affected have approved the
12 issuance of general obligation bonds at an election pursuant
13 to section 296.6 during the preceding six-month period. Such
14 The petition shall be signed by voters in each existing school
15 district or portion affected ~~ex-portion-thereof~~ equal in
16 number to at least twenty percent of the number of eligible
17 voters or four hundred voters, whichever is the smaller number.
18 School ~~districts~~ district or portion affected ~~ex-portion~~
19 ~~thereof-shall-be-defined-to-mean-that~~ means the area to be
20 included in the plan of the proposed new school district.

21 Sec. 2. Section 275.17, Code 1983, is amended to read
22 as follows:

23 275.17 ~~REFILING~~ FILING A PETITION. If an area education
24 agency board does not approve the change in boundaries of
25 school districts in accordance with a petition, ~~an-identical~~
26 another petition shall not be ~~refiled~~ filed for a period of
27 six months following the date of the hearing or the vote of
28 the board, whichever is later.

29 Sec. 3. Section 275.22, Code 1983, is amended to read
30 as follows:

31 275.22 CANVASS AND RETURN. The precinct election officials
32 shall count the ballots, and make return to and deposit the
33 ballots with the county commissioner of elections, who shall
34 enter the return of record in ~~his~~ the commissioner's office.
35 The county commissioner of elections shall certify the results

1 of the election to the area education agency administrator.
2 If the majority of the votes cast by the qualified electors
3 are is in favor of the proposition, as provided in section
4 275.20, a new school corporation shall be organized. If the
5 majority of votes cast is opposed to the proposition, a new
6 petition shall not be filed for at least six months from the
7 date of the election. The area education agency administrator
8 shall file a written description of the boundaries as provided
9 in section 274.4.

10 EXPLANATION

11 This bill prohibits the filing of school reorganization
12 petitions for six months after an area education agency board
13 disapproves a change in boundaries designated in a petition
14 and for six months after a reorganization election fails.
15 It also prohibits an area education agency administrator from
16 accepting a reorganization petition from a district that has
17 approved the issuance of general obligation bonds at an
18 election during the preceding six-month period. The bill
19 takes effect July 1 following its enactment.

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HOUSE FILE 477

S-3557

- 1 Amend House File 477 as follows:
- 2 1. Page 1, line 26, by striking the words "another
- 3 petition" and inserting in lieu thereof the words
- 4 "a petition describing the identical or similar
- 5 boundaries".
- 6 2. Page 2, line 6, by inserting after the word
- 7 "petition" the words "describing the identical or
- 8 similar boundaries".

S-3557 FILED
APRIL 13, 1983
Adopted 4/13/83 (p. 1287)

BY JOE BROWN

SENATE AMENDMENT TO HOUSE FILE 477

H-3784

- 1 Amend House File 477 as follows:
- 2 1. Page 1, line 26, by striking the words "another
- 3 petition" and inserting in lieu thereof the words
- 4 "a petition describing the identical or similar
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- 6 2. Page 2, line 6, by inserting after the word
- 7 "petition" the words "describing the identical or
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H-3784 FILED APRIL 18, 1983

RECEIVED FROM THE SENATE

House Concurred

HOUSE FILE 477

S-3557

- 1 Amend House File 477 as follows:
- 2 1. Page 1, line 26, by striking the words "another
- 3 petition" and inserting in lieu thereof the words
- 4 "a petition describing the identical or similar
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- 6 2. Page 2, line 6, by inserting after the word
- 7 "petition" the words "describing the identical or
- 8 similar boundaries".

S-3557 FILED
APRIL 13, 1983
Adopted 4/13/83 (p. 1287)

BY JOE BROWN

HOUSE FILE 477

AN ACT

TO PROHIBIT THE FILING OF SCHOOL DISTRICT REORGANIZATION PETITIONS WITH AN AREA EDUCATION AGENCY WITHIN SIX MONTHS AFTER THE OCCURRENCE OF CERTAIN CONDITIONS.

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

Section 1. Section 275.12, subsection 1, Code 1983, is amended to read as follows:

1. A petition describing the boundaries, or accurately describing the area included therein by legal descriptions, of the proposed district, which boundaries or area described shall conform to plans developed or the petition shall request change of the plan, shall be filed with the area education agency administrator of the area education agency in which the greatest number of electors reside. However, the area

education agency administrator shall not accept a petition if any of the school districts affected have approved the issuance of general obligation bonds at an election pursuant to section 296.6 during the preceding six-month period. Such The petition shall be signed by voters in each existing school district or portion affected ~~or portion thereof~~ equal in number to at least twenty percent of the number of eligible voters or four hundred voters, whichever is the smaller number. School districts district or portion affected ~~or portion thereof shall be defined to mean that~~ means the area to be included in the plan of the proposed new school district.

Sec. 2. Section 275.17, Code 1983, is amended to read as follows:

275.17 ~~REFILING~~ FILING A PETITION. If an area education agency board does not approve the change in boundaries of school districts in accordance with a petition, ~~an identical~~ a petition describing the identical or similar boundaries shall not be ~~refiled~~ filed for a period of six months following the date of the hearing or the vote of the board, whichever is later.

Sec. 3. Section 275.22, Code 1983, is amended to read as follows:

275.22 CANVASS AND RETURN. The precinct election officials shall count the ballots, and make return to and deposit the ballots with the county commissioner of elections, who shall enter the return of record in ~~his~~ the commissioner's office. The county commissioner of elections shall certify the results of the election to the area education agency administrator. If the majority of the votes cast by the qualified electors ~~are is~~ in favor of the proposition, as provided in section 275.20, a new school corporation shall be organized. If the majority of votes cast is opposed to the proposition, a new petition describing the identical or similar boundaries shall not be filed for at least six months from the date of the election. The area education agency administrator shall file

H.F. 477

a written description of the boundaries as provided in section 274.4.

DONALD D. AVENSON
Speaker of the House

ROBERT T. ANDERSON
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 477, Seventieth General Assembly.

JOSEPH O'HERN
Chief Clerk of the House

Approved May 6, 1983

TERRY E. BRANSTAD
Governor