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3/16/98 Motion to R.L. by Connolly  
FILED FEB 5 1998  
3/17/98 Motion to R.K.  
W/D

SENATE FILE 2144  
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO SF 2033)

Passed Senate, <sup>(p.711)</sup> Date 3-16-98 Passed House, Date \_\_\_\_\_  
Vote: Ayes 46 Nays 0 Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act relating to elections to change the boundaries of director  
2 districts after dissolution of a school district.

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

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S.F. 2144

1 Section 1. Section 275.54, unnumbered paragraph 1, Code  
2 1997, is amended to read as follows

3 Within ten days following the filing of the dissolution  
4 proposal with the board, the board shall fix a date for a  
5 hearing on the proposal which shall not be more than sixty  
6 days after the dissolution petition was filed with the board.  
7 The board shall publish notice of the date, time, and location  
8 of the hearing at least ten days prior to the date of the  
9 hearing by one publication in a newspaper in general  
10 circulation in the district. The notice shall include the  
11 content of the dissolution proposal. A person residing or  
12 owning land in the school district may present evidence and  
13 arguments at the hearing. The president of the board shall  
14 preside at the hearing. The board shall review testimony from  
15 the hearing and shall adopt or amend and adopt the dissolution  
16 proposal. The board shall notify by registered mail the  
17 boards of directors of all school districts to which area of  
18 the affected school district will be attached and the director  
19 of the department of education of the contents of the  
20 dissolution proposal adopted by the board. If the board of a  
21 district to which area of the affected school district will be  
22 attached objects to the attachment, that portion of the  
23 dissolution proposal will not be included in the proposal  
24 voted upon under section 275.55, subsections 1, 3, 4, and 5,  
25 and the director of the department of education shall attach  
26 the area to a contiguous school district. If the board of a  
27 district to which area of the affected school district will be  
28 attached objects to the division of assets and liabilities  
29 contained in the dissolution proposal, section 275.30 applies  
30 for the division of assets and liabilities to that district.

31 Sec. 2. Section 275.55, Code 1997, is amended to read as  
32 follows:

33 275.55 ~~EBECTION~~ ELECTIONS.

34 1. The board of the school district shall call a special  
35 election to be held not later than forty days following the

1 date of the final hearing on the dissolution proposal. The  
2 special election may be held at the same time as the regular  
3 school election. The proposition submitted to the voters  
4 residing in the school district at the special election shall  
5 describe each separate area to be attached to a contiguous  
6 school district and shall name the school district to which it  
7 will be attached.

8 2. The board of a school district accepting attachments of  
9 the dissolved school district may call a special election to  
10 authorize a change of boundaries of director districts. The  
11 special election may be held at the same time as the regular  
12 school election. If a proposition submitted to the voters  
13 under this subsection is rejected, it shall not be resubmitted  
14 to the voters of the district in substantially the same form  
15 within the next three years; if it is approved, no other  
16 proposal shall be submitted to the voters of the district  
17 under this subsection within the next six years. The school  
18 board shall notify the state commissioner of elections and the  
19 county commissioner of elections of each county in which a  
20 portion of the school district is located when the boundaries  
21 of director districts are changed. The notices of changes  
22 submitted to the commissioners shall be postmarked no later  
23 than thirty days after approval by the voters. The board  
24 shall provide the commissioners with maps showing the new  
25 boundaries and shall also certify to the state commissioner  
26 the populations of the new director districts as determined  
27 under the latest federal decennial census.

28 3. The board shall give written notice of the proposed  
29 date of the an election under subsection 1 or 2 to the county  
30 commissioner of elections. The proposed date shall be  
31 pursuant to sections 39.2, subsections 1 and 2, and 47.6,  
32 subsections 1 and 2. The county commissioner of elections  
33 shall give notice of the election by one publication in the  
34 same newspaper in which the previous notice was published  
35 about the hearing, which publication shall in a newspaper of

1 general circulation not be less than four nor more than twenty  
2 days prior to the election. If the election follows a hearing  
3 as provided in section 275.54, the commissioner of elections  
4 shall give notice of the election by publication in the same  
5 newspaper in which the previous notice was published about the  
6 hearing.

7 4. The A proposition submitted pursuant to this section  
8 shall be adopted if a majority of the electors voting on the  
9 proposition approve its adoption.

10 5. The An attachment is effective July 1 following its  
11 approval. If the ~~dissolution~~ proposal is for the dissolution  
12 of a school district with a certified enrollment of fewer than  
13 six hundred, the territory located in the school district that  
14 dissolved is eligible, if approved by the director of the  
15 department of education, for a reduction in the foundation  
16 property tax levy under section 257.3, subsection 1. If the  
17 director approves a reduction in the foundation property tax  
18 levy as provided in this section, the director shall notify  
19 the director of the department of management of the reduction.

20 Sec. 3. EFFECTIVE DATE. This Act, being deemed of  
21 immediate importance, takes effect upon enactment.

22 EXPLANATION

23 This bill permits the board of directors of a school  
24 district accepting attachments of a dissolved school district  
25 to call a special election, which may be held at the regular  
26 school election, to authorize a change of boundaries of  
27 director districts. A rejected proposal shall not be  
28 resubmitted to the voters for three years. If voters approve  
29 the proposal, no other proposal shall be submitted to the  
30 voters within the next six years, and the school board must  
31 notify the state commissioner of elections and the county  
32 commissioner of elections of the change, supply the  
33 commissioners with maps showing the new boundaries, and  
34 certify to the state commissioner the populations of the new  
35 director districts as determined under the latest federal

1 decennial census.

2     The bill takes effect upon enactment.

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S-5218

1 Amend Senate File 2144 as follows:

2 1. By striking everything after the enacting  
3 clause and inserting the following:

4 "Section 1. NEW SECTION. 275.57 CHANGING  
5 DIRECTOR DISTRICT BOUNDARIES FOLLOWING DISSOLUTION.

6 1. If a school district accepting attachments of a  
7 dissolved school district is divided into director  
8 districts as provided in section 275.12, subsection 2,  
9 paragraph "b", "c", "d", or "e", at the time of  
10 attachments, the board of directors of the district  
11 accepting attachments shall develop a proposal in a  
12 resolution to incorporate the attached territory into  
13 the director districts contiguous to the attached  
14 territory. If the attached territory is contiguous to  
15 more than one director district, the board may divide  
16 the territory and attach it to more than one director  
17 district. The extended director district boundaries  
18 shall be drawn according to standards provided in  
19 section 275.23A, subsection 1, paragraphs "a", "c",  
20 and "d".

21 2. Prior to adoption of a resolution to  
22 incorporate the attached territory as provided in  
23 subsection 1, the board of directors of the school  
24 district accepting the attachments shall hold a public  
25 hearing on the proposed director district boundary  
26 changes contained in the resolution. The board shall  
27 publish notice of the time and place of a public  
28 hearing on the resolution. Notice of the time and  
29 place of the public hearing shall be published not  
30 less than ten nor more than twenty days before the  
31 public hearing in a newspaper of general circulation  
32 in the school district. The public hearing on the  
33 resolution shall be held not later than May 15  
34 following dissolution.

35 3. The resolution adopted by the school board  
36 shall contain a legal description of the new director  
37 district boundaries and a map of the director  
38 districts as changed by adoption of the resolution,  
39 and shall be submitted by the school board to the  
40 state commissioner of elections and the county  
41 commissioner of elections of each county in which a  
42 portion of the school district is located by June 15  
43 following dissolution.

44 4. The boundary changes adopted by resolution  
45 under this section take effect upon adoption of the  
46 resolution for the next regular school election.

47 Sec. 2. EFFECTIVE DATE. This Act, being deemed of  
48 immediate importance, takes effect upon enactment."

49 2. Title page, by striking line 1 and inserting  
50 the following: "An Act relating to school district

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Page 2

1 action to change the boundaries of director".

By JEFF ANGELO

S-5218 FILED MARCH 11, 1998

Adopted 3/16/98 (p. 711)

SENATE FILE 2144  
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO SF 2033)

(AS AMENDED AND PASSED BY THE SENATE MARCH 16, 1998)

ALL New Language by the Senate

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

A BILL FOR

1 An Act relating to school district action to change the  
2 boundaries of director districts after dissolution of a school  
3 district.

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

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S.F. 2144

1 Section 1. NEW SECTION. 275.57 CHANGING DIRECTOR  
2 DISTRICT BOUNDARIES FOLLOWING DISSOLUTION.

3 1. If a school district accepting attachments of a  
4 dissolved school district is divided into director districts  
5 as provided in section 275.12, subsection 2, paragraph "b",  
6 "c", "d", or "e", at the time of attachments, the board of  
7 directors of the district accepting attachments shall develop  
8 a proposal in a resolution to incorporate the attached  
9 territory into the director districts contiguous to the  
10 attached territory. If the attached territory is contiguous  
11 to more than one director district, the board may divide the  
12 territory and attach it to more than one director district.  
13 The extended director district boundaries shall be drawn  
14 according to standards provided in section 275.23A, subsection  
15 1, paragraphs "a", "c", and "d".

16 2. Prior to adoption of a resolution to incorporate the  
17 attached territory as provided in subsection 1, the board of  
18 directors of the school district accepting the attachments  
19 shall hold a public hearing on the proposed director district  
20 boundary changes contained in the resolution. The board shall  
21 publish notice of the time and place of a public hearing on  
22 the resolution. Notice of the time and place of the public  
23 hearing shall be published not less than ten nor more than  
24 twenty days before the public hearing in a newspaper of  
25 general circulation in the school district. The public  
26 hearing on the resolution shall be held not later than May 15  
27 following dissolution.

28 3. The resolution adopted by the school board shall  
29 contain a legal description of the new director district  
30 boundaries and a map of the director districts as changed by  
31 adoption of the resolution, and shall be submitted by the  
32 school board to the state commissioner of elections and the  
33 county commissioner of elections of each county in which a  
34 portion of the school district is located by June 15 following  
35 dissolution.

1 4. The boundary changes adopted by resolution under this  
2 section take effect upon adoption of the resolution for the  
3 next regular school election.

4 Sec. 2. EFFECTIVE DATE. This Act, being deemed of  
5 immediate importance, takes effect upon enactment.

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