

CHAPTER 148.

TAX LEVY FOR FIRE FUND.

H. F. 133.

AN ACT to amend chapter one hundred thirty-one (131), acts of the thirty-seventh general assembly, relating to the levying of taxes for fire fund.

Be it enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Fire fund—tax levy. That chapter one hundred thirty-
2 one (131), acts of the thirty-seventh general assembly, be and the
3 same is hereby amended by striking out the word “six” in the seventh
4 (7th) line of section one thereof, and inserting in lieu thereof the word
5 “seven”.

Approved April 3, A. D. 1919.

CHAPTER 149.

CONSOLIDATED SCHOOL DISTRICTS.

S. F. 286.

AN ACT to amend section twenty-seven hundred ninety-four-a (2794-a) of the supplemental supplement to the code, 1915, as amended by chapter 432 of the acts of the thirty-seventh general assembly, relating to consolidated school districts.

Be it enacted by the General Assembly of the State of Iowa:

SECTION 1. Consolidated independent school districts—petition—
1 notice—objections—appeal—election, etc. That section twenty-seven
2 hundred ninety-four-a (2794-a) of the supplemental supplement to
3 the code, 1915, as amended by chapter 432 of the acts of the thirty-
4 seventh general assembly be amended by striking therefrom the first
5 hundred lines of sub-division “a” thereof and inserting in lieu thereof
6 the following:
7 When a petition describing the boundaries of contiguous territory
8 containing not less than sixteen sections, within one or more counties,
9 asking for the establishment of a consolidated independent school
10 district and signed by one-third of the qualified voters residing therein,
11 is filed with the county superintendent of the county in which the
12 largest number of qualified voters in the proposed district reside, he
13 shall within ten days give public notice of the place and date when
14 all objections shall be filed. Such petition shall be accompanied by
15 an affidavit showing the number of qualified voters in the proposed
16 consolidated district and in case such district is in two or more counties
17 such affidavit shall show separately, as to each county, the number of
18 qualified voters in the part of each county included in the proposed
19 district. Such affidavit shall be made by some qualified voter residing
20 in the proposed district, and shall be taken as true, unless objections
21 are filed to it prior to the final decision on said petition. All notices

22 under this act shall be by one publication in a newspaper published
23 within the proposed district or if there be none, then in a newspaper
24 having general circulation within the proposed consolidated district,
25 which publications shall be made not less than five days nor more than
26 fifteen days prior to the hearing or election to which they refer.
27 Objections may be made by any person residing upon or owning land
28 within such proposed boundaries or who would be injuriously affected
29 by the formation of the proposed district and shall be on file not later
30 than twelve o'clock noon of the day fixed for receiving objections.
31 Within five days after such filings the county superintendent shall
32 review all papers filed in his office and after careful review and investi-
33 gation of their merits shall overrule or sustain the objections filed and
34 fix and determine the boundary lines of the proposed consolidated
35 district. In determining these boundaries he shall so locate the
36 boundary lines as will in his judgment form the best possible consoli-
37 dated district, having due regard also to the welfare of adjoining
38 districts. He shall also notify at once all objectors by registered
39 letter of his decision.

40 Any person having filed objections and being aggrieved by the ruling
41 of the county superintendent may appeal from his decision to the
42 county board of education within ten days after the decision is
43 rendered, by serving written notice on the said county superintendent.
44 Within five days after said notice has been received, the county super-
45 intendent shall file with the county board of education all of the
46 original papers together with his decision and fix the time and place
47 where such appeal will be heard and shall give notice to appellants by
48 registered letter as heretofore provided. The time fixed for such
49 hearing shall be not less than ten nor more than fifteen days from the
50 date his decision is rendered. The county board of education shall
51 determine such appeal within five days after the submission thereof
52 which decision shall be final as to said boundaries.

53 If no objections be filed or if the objections be not sustained, it shall
54 be the duty of the county superintendent with whom said petition has
55 been filed to call an election in the proposed consolidated district, legal
56 notice of which shall be given as hereinbefore provided. At the elec-
57 tion all qualified voters residing in the proposed consolidated district
58 shall be entitled to vote by ballot for or against the establishment
59 thereof.

60 When it is proposed to include in such district a school corporation
61 containing a city, town or village with a population of two hundred or
62 more inhabitants, the voters residing upon the territory outside the
63 limits of the said school corporation shall vote separately upon the
64 proposition to create such new district. The judges of said election
65 shall provide separate ballot boxes in which shall be deposited the
66 votes cast by the qualified voters from their respective territory, and
67 if a majority of the votes cast by the qualified voters residing either
68 within or without the limits of the aforesaid school corporation is
69 against the proposition to form a consolidated independent corpora-
70 tion, then the proposed corporation shall not be formed. If a majority
71 of the votes so cast in each territory shall be in favor of such inde-
72 pendent organization, the organization of the proposed consolidated
73 independent school corporation shall be completed by the election of a
74 board of directors for said school corporation. Said election shall be
75 called by the same county superintendent and by giving the same
76 notice as provided for the calling of the election to establish said con-

77 solidated independent district. At such election two directors shall be
 78 chosen to serve until the next annual meeting, two until the second,
 79 and one until the third annual meeting thereafter. It is further pro-
 80 vided that when a consolidated independent district is so organized
 81 it shall not be reduced to less than sixteen sections unless dissolved
 82 as provided by law.

83 No remaining portion of any school corporation from which terri-
 84 tory is taken to form such a consolidated independent corporation shall,
 85 after the change, contain less than four government sections, which
 86 territory shall be contiguous and so situated as to form a suitable
 87 corporation. In the formation of such consolidated school corporation
 88 the boundary lines shall conform to those of school corporations or
 89 sub-districts already established, provided however that the county
 90 board of education on hearing, may fix other boundaries than herein
 91 prescribed, when because of meandering streams, irregular boundaries
 92 of existing sub-districts or school corporations or the location of high-
 93 ways, the welfare of the consolidated district and adjoining districts
 94 may be better served. In case the boundary of such sub-districts be
 95 a public highway then the said consolidated district may include such
 96 tracts of one hundred sixty acres or less as are contiguous to the said
 97 highway. And where after the formation of such consolidated school
 98 corporation, there is left in any school township one or more pieces
 99 of territory containing four or more government sections, each of such
 100 pieces of territory shall thereon become a rural independent school
 101 corporation, unless two or more sub-districts remain in a contiguous
 102 body, in which event such remaining portion of territory shall con-
 103 stitute a school township, and it shall be the duty of the officers of
 104 the former school township to call an election in each of such remain-
 105 ing pieces of territory for the purpose of electing school officers in
 106 the manner provided by law for the election of officers in rural inde-
 107 pendent school and school township corporations. The judges of the
 108 elections herein provided for shall be appointed by the county super-
 109 intendent with whom the petition was filed. Such judges shall be
 110 qualified voters of the territory or district in which they are to
 111 serve. If any judge fails to appear at the proper time his place shall
 112 be filled by the judge or judges present.

1 SEC. 2. Publication clause. This act being deemed of immediate
 2 importance shall take effect and be in force when published in the
 3 Des Moines Capital and Des Moines Register, newspapers published
 4 in Des Moines, Iowa.

Approved April 5, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital
 and in the Des Moines Register April 8, 1919.

W. S. ALLEN, *Secretary of State.*