

January 23, 1957.

H. J. R. 6

Constitutional Amendments and
Reapportionment of the Legis-
lature.

By STEVENS, BROWN, JOHANNES,
McNEAL, REPERT, KOSEK,
HENDRIX, COVERDALE, WILSON,
EDGINGTON, FAIRCHILD, SAR,
WALTER of Hardin, HANSON,
BURTCH, CHRISTOPHEL, BALL-
HAGEN, WHITNEY, and ELDRED.

Passed House, Date 4-12 Passed Senate, Date.....
Vote: Ayes 93 Nays 8 Vote: Ayes..... Nays.....
Approved.....

HOUSE JOINT RESOLUTION

A Joint Resolution proposing to repeal sections six (6), thirty-four (34), thirty-five (35) and thirty-six (36) of article three (III), legislative department, of the constitution of the state of Iowa, and to adopt substitutes sections six (6), thirty-four (34) and thirty-five (35) thereof, relating to representation in the senate and house of representatives and to the classification of senators.

Be It Resolved by the General Assembly of the State of Iowa:

1 Section 1. Section six (6), article three (III) legislative
2 department, of the constitution of the state of Iowa is hereby
3 repealed and the following is adopted as a substitute therefor:
4 "Senators shall be so classified by lot that one class,
5 being as nearly one half as possible, shall be elected every
6 two years. When either class consists of a greater number than
7 one half of the total number of senators, newly elected senators
8 shall be annexed by lot to one or the other of the two classes
9 so as to keep such classes equal, and the senators annexed to
10 the greater of the two classes shall serve a term of two years
11 notwithstanding the provisions of section five (5) of this article."

1 Sec. 2. Section thirty-four (34), article three (III),
2 legislative department, of the constitution of the state of
3 Iowa is hereby repealed and the following is adopted as a
4 substitute therefor:

HOUSE JOINT RESOLUTION 6

- 1 Amend House Joint Resolution 6, section 2 by striking all
2 after the word "Senator" in line twelve (12) to the word "the" in
3 line sixteen (16).
4 Further amend section 2 by striking the word "may" in line
5 sixteen (16) and inserting in lieu thereof the word "shall".
6 Further amend section 2 by striking the first six words in
7 line seventeen (17).

Filed and lost
April 12, 1957.

REPORT of Polk.

HOUSE JOINT RESOLUTION 6
(Committee amendment)

- 1 Amend the House Joint Resolution 6 by striking all after the
2 resolving clause and inserting in lieu thereof the following:
3 Section 1. The following amendment to the Constitution of
4 the State of Iowa is hereby proposed:
5 Section six (6) of Article Three (III) of the Constitution
6 of the state of Iowa and sections thirty-four (34), thirty-five
7 (35) and thirty-six (36) of said Article Three (III) as adopted
8 by amendment in 1904 A. D. and the amendment to section thirty-
four (34)
9 of Article Three (III) adopted in 1928 A. D. are hereby repealed
10 and the following adopted in lieu thereof:
11 "Section 6. The Senate shall consist of fifty members so
12 classified by lot, that one class, being as nearly one half
13 as possible, shall be elected every four years. Senators shall
14 be elected from districts established by law.
15 "Section 34. The senatorial districts shall be established
16 by law at the first regular session of the General Assembly
17 held after adoption of this amendment and not oftener than
18 once in each ten-year period thereafter. The senatorial
19 districts shall be so established that each county having a
20 population of more than one hundred thousand shall have one
21 senator and the remaining senators apportioned among districts
22 composed of two or more counties, but no district shall have more
23 than one senator.
24 "Section 35. The House of Representatives shall consist
25 of members elected at each general election and apportioned
26 in the following manner. The ratio of representation shall
27 be thirty thousand. Every county shall constitute one
28 representative district and shall be entitled to one representative
29 for each multiple in population of the ratio number plus one
30 additional representative where the population exceeds a multiple
31 of the ratio number by one-half or more of such ratio number,
32 but every county shall be entitled to at least one representative.
33 On the taking of each decennial census of the United States the
34 secretary of state shall certify, to the next succeeding regular general
35 assembly and to the supreme court, the official whole number of
36 inhabitants of the state and the population of each county.
37 "Section 36. Upon receipt by the general assembly in regular
38 session of the official certification by the secretary of
39 state of the population of the state and counties after each
40 decennial national census, the assembly shall divide each
41 county entitled to more than one representative into
42 representative subdistricts of contiguous territory, as compact
43 and nearly equal in population as may be, in each of which one
44 representative shall be elected at the succeeding general
45 election. Upon failure of the general assembly to so act at
46 said session, said duty shall devolve upon the supreme court
47 and its order shall be entered and certified to the governor and
48 to the presiding officers of the general assembly and be effective
49 until reapportionment after the next succeeding decennial census."
50 Sec. 2. The foregoing proposed amendment to the Constitution
51 of the State of Iowa is hereby referred to the General Assembly
52 to be chosen at the next general election and the Secretary
53 of State is directed to cause the same to be published as
54 provided by law for three months previous to the time of making
55 such choice.

Filed
April 16, 1957.

BY COMMITTEE ON LEGISLATIVE REDISTRICTING,
DUANE E. DEWEL, *Chairman*.

HOUSE JOINT RESOLUTION 6

- 1 Amend the committee amendment to House Joint Resolution 6 filed
- 2 April 16th by striking the word "fifty" in line 11 and inserting in
- 3 lieu thereof the word "fifty-five".
- 4 Further amend the committee amendment to House Joint Resolu-
tion 6
- 5 filed April 16th by striking the period (.) in line 45 after the
- 6 word "election" and adding the following:
- 7 "; and also at said session after each decennial national census
- 8 the assembly shall reapportion the senate giving each county, having
- 9 more than one hundred thousand population, one senator".

Filed
April 23, 1957.

By DEWEL.

HOUSE JOINT RESOLUTION 6

- 1 Amend House Joint Resolution 6 by striking all after the enacting
- 2 clause and substituting therefor the following:
- 3 "Section 1. Amend Article Three (III), section
- 4 thirty-four (34), as amended by the amendment of 1904, by
- 5 striking the word "fifty" in line two (2) and substitute
- 6 in lieu thereof the word "fifty-five".
- 7 Sec. 2. Further amend Article Three (III), section
- 8 thirty-four (34), as amended in 1904, by striking all after
- 9 the word "census" in line six (6) thereof and inserting
- 10 therefor the following: "they shall be apportioned among
- 11 the counties of the state according to area as nearly as
- 12 practicable."
- 13 Sec. 3. Further amend Article Three (III), section
- 14 thirty-four (34), as amended in 1904 and 1928, by striking the
- 15 period (.) at the end of said section and insert the following:
- 16 "except the counties of Polk, Woodbury, Black Hawk, Linn and
- 17 Scott, which counties shall each be entitled to two (2)
- 18 Senators, but not more than one (1) shall be a resident within
- 19 the corporate limits of Des Moines, Sioux City, Waterloo,
- 20 Cedar Rapids and Davenport, respectively, in said counties."
- 21 Sec. 4. Amend Article Three (III), section thirty-five
- 22 (35), as amended in 1904, by striking the word "eight" in
- 23 line three (3) and substitute therefor the word "thirteen".
- 24 Sec. 5. Further amend Article Three (III), section
- 25 thirty-five, as amended in 1904, by striking all after the
- 26 period (.) in line three (3) and substitute in lieu thereof the
- 27 following: "Each county shall constitute a representative district
- 28 and be entitled to one representative, except the counties of
- 29 Clinton, Dubuque, Pottawattamie and Wapello, which counties shall
- 30 be entitled to two (2) representatives; and further except the
- 31 counties of Polk, Woodbury, Black Hawk, Linn and Scott, which
- 32 counties shall be entitled to three (3) representatives, each,
- 33 not more than two representatives shall be residents within
- 34 the corporate limits of Des Moines, Sioux City, Waterloo,
- 35 Cedar Rapids and Davenport, respectively, in said counties.
- 36 Sec. 6. Further amend Article Three (III), as amended in
- 37 1904, by striking section thirty-six (36) thereof.

Filed
April 24, 1957.

By NOLAN.

5 "The senate shall consist of sixty (60) senators, to be
6 elected from sixty (60) senatorial districts established by
7 law. The state shall be divided into sixty (60) districts
8 having as nearly equal population as possible. Where a
9 senatorial district is constituted of more than one county,
10 the counties shall be contiguous, and no county shall be
11 divided in forming such a district; where a county is entitled
12 to more than one senator, such county shall be divided into
13 the number of senatorial districts equal to the number of
14 senators to which the county is entitled. Provided, however,
15 that two or more districts in the same county may by law be
16 combined and the senators representing the county may be elected
17 either from the several districts or at large from such county
18 as the law may prescribe. At the first session of the general
19 assembly following the adoption of this amendment and at each
20 session immediately following the official publication of each
21 succeeding decennial United States census thereafter, the general
22 assembly shall take notice of the last preceding United States
23 census and reapportion the senatorial districts as above prescribed
24 based on the last preceding United States census. Provided,
25 however, that if the general assembly fails to act at the first
26 session following the adoption of this amendment or the first
27 session following the official publication of each succeeding
28 United States census enumerating the population of the several
29 counties in this state, the supreme court shall take judicial
30 notice of the last and each succeeding United States census
31 and shall, on its own motion, proceed to designate and apportion
32 the senatorial districts as hereinbefore provided, the provisions
33 of section one (1), article three (III), of the constitution of

34 the state of Iowa to the contrary notwithstanding.

1 Sec. 3. Section thirty-five (35), article three (III),
2 legislative department, of the constitution of the state of
3 Iowa is hereby repealed and the following is adopted as a
4 substitute therefor:

5 "The house of representatives shall consist of ninety-nine
6 (99) members. Every county shall constitute one (1) representative
7 district and be entitled to one (1) representative."

1 Sec. 4. Section thirty-six (36), article three (II),
2 legislative department, of the constitution of the state of
3 Iowa is hereby repealed.

EXPLANATION OF H. J. R. 6

The purpose of this joint resolution is to reapportion legislative seats among the counties. It provides for 60 senatorial districts to be allotted on a population basis and 99 representative districts to be allotted one to a county.

1 Amend House Joint Resolution 6 as follows:

2 1. Amend the title by striking all after the word, "to"
3 in line one (1) and substituting therefor the following:

4 "amend sections three (3), six (6), thirty-four (34) and
5 thirty-five (35) and strike and re-enact a substitute for
6 section thirty-six (36), Legislative Department, Article
7 Three (III), Constitution of the State of Iowa, so as to
8 establish a new method of apportionment of Senators and
9 Representatives in the General Assembly."

10 2. By striking all after the resolving clause and inserting
11 in lieu thereof the following:

12 "Section 1. Article Three (III). Legislative Department,
13 Constitution of Iowa, section thirty-four (34) as amended by
14 the amendments of 1904 and 1928, is hereby amended as follows:

15 1. By striking the word, 'fifty' in line two (2) and
16 substituting in lieu thereof the word, 'fifty-five (55)'

17 2. By striking all of such section after the word,
18 'census,' in line six (6) and substituting in lieu thereof the
19 following:

20 'they shall be equitably apportioned among the counties of
21 the state on an area and population basis except that the
22 five (5) counties having the largest population shall each
23 constitute a senatorial district from each of which districts
24 two (2) Senators shall be elected.'

25 Sec. 2. Article Three (III), Legislative Department,
26 Constitution of Iowa, section thirty-five (35) as amended by
27 the amendment of 1904 is hereby amended by striking all of
28 such section after the period (.) in line three (3) and

29 substituting in lieu thereof the following:

30 'Each county shall constitute a representative district and
31 shall be entitled to one (1) Representative, except that the
32 five (5) counties in the state having the largest population
33 shall be entitled to three (3) Representatives each, the four
34 (4) counties having the next largest population shall be
35 entitled to two (2) Representatives each, and the nine (9)
36 counties having the smallest population in the state shall be
37 attached to any adjacent or cornering county to form a
38 representative district which representative district shall
39 be entitled to one (1) Representative. The General Assembly
40 shall apportion representatives among the counties and establish
41 representative districts at the next session of the General
42 Assembly held following each taking of the state and national
43 census, except that each county entitled to more than one (1)
44 representative shall be divided by the supreme court, within
45 ninety (90) days after the end of such session, into a number
46 of representative districts equal to the number of
47 representatives allotted to such county and all such districts
48 in a county shall be composed of contiguous territory and shall
49 be as nearly equal in population as possible.'

50 Sec. 3. Article Three (III), Legislative Department,
51 Constitution of Iowa, is hereby amended by striking section
52 thirty-six (36) and all amendments thereto and by substituting
53 therefor the following:

54 'At the first session of the General Assembly following the
55 adoption of this amendment and the apportionment of Senators
56 and Representatives as provided in this amendment, the members
57 of the Senate and House of Representatives separately shall be
58 divided by lot into two (2) classes as provided in sections
59 six (6), Article Three (III), Legislative Department. Those
60 members constituting one (1) of the two (2) classes shall
61 serve terms of two (2) years only and their successors shall
62 serve terms of four (4) years.'

63 Sec. 4. Article Three (III), Legislative Department,
64 Constitution of Iowa, section three (3), is hereby amended by
65 striking the word, 'two' in line ten (10) and substituting
66 therefor the word, 'four (4)'.

67 Sec. 5. Article Three (III), Legislative Department,
68 Constitution of Iowa, section six (6), is hereby amended as
69 follows:

70 1. By striking the word, 'nor more than one-half' in line
71 three (3).

72 2. By inserting after the word, 'and' in line four (4) the
73 words, 'the membership of both houses separately'.

74 3. By striking the word, 'Senators' in line seven (7) and
75 inserting in lieu thereof the word, 'Representatives'.

Filed
April 4, 1957.

*Adopted and
Rescinded 4-10*

MOWRY of Marshall.
WILSON of Calhoun.

HOUSE JOINT RESOLUTION 8

- 1 Amend the amendment to House Joint Resolution 6 by
- 2 Mowry and Wilson filed April 4, 1957, by putting a period
- 3 in lieu of the comma in line 35 and striking the rest of
the sentence.

Filed
April 5, 1957.

MOWRY of Marshall.
FALVEY of Monroe.

W. Marshall
4-16

HOUSE JOINT RESOLUTION 6

1 Amend the amendment to House Joint Resolution 6 by Mowry
2 and Wilson filed April 4, 1957 by striking lines twenty-five
3 (25) through forty-nine (49) inclusive and inserting in lieu
4 thereof the following:
5 "Sec. 2. Article three (III), Legislative Department,
6 Constitution of Iowa, section thirty-five (35), as amended by
7 the amendment of 1904 is hereby repealed and the following enacted
8 in lieu thereof:
9 'The House of Representatives shall consist of not more than
10 one hundred thirteen (113) members. Each county shall constitute
11 a representative district and shall be entitled to one (1)
12 Representative, except that the five (5) counties in the state
13 having the largest population shall be entitled to three (3)
14 Representatives each, the four (4) counties having the next
15 largest population shall be entitled to two (2) Representatives
16 each. The General Assembly shall apportion representatives
17 among the counties and establish representative districts at
18 the next session of the General Assembly held following each
19 taking of the state and national census, except that each county
20 entitled to more than one (1) representative shall be divided by
21 the supreme court, within ninety (90) days after the end of such
22 session, into a number of representative districts equal to the
23 number of representatives allotted to such county and all such
24 districts in a county shall be composed of contiguous territory
25 and shall be as nearly equal in population as possible.'"

Filed and adopted
April 10, 1957.

MOWRY of Marshall.
FALVEY of Monroe.

1 Amend the Reppert amendment to House Joint Resolution 6,
2 section one (1), lines seven (7) and eight (8), by striking the
3 words and figures "one hundred thirty (130)" and inserting in
4 lieu thereof the words and figures "one hundred sixteen (116)".

Offered and lost
April 10, 1957.

NELSON of Winnebago.

HOUSE JOINT RESOLUTION 6

1 Amend House Joint Resolution 6
2 as follows:
3 1. By striking all after the resolving clause and insert the fol-
4 lowing:
5 "Section 1. Section thirty-five (35) of article three (III),
6 legislative department, of the Constitution of the State of Iowa
7 is hereby repealed and the following is adopted as a substitute
8 therefor:
9 'The House of Representatives shall consist of one hundred
10 thirty (130) members, and they shall be fully apportioned among
11 the several counties on the basis of the population of the state
12 as indicated by the state or national census at the first regular
13 session of the General Assembly following said census, except
14 that each county shall be entitled to at least one representative.'
15 Sec. 2 The foregoing proposed amendment is hereby referred
16 to the General Assembly to be chosen at the next general election
17 for members of the General Assembly, and the Secretary of State
18 shall cause the same to be published for three (3) consecutive
19 months previous to the date of said election as provided by law.'"
20 2. By adding to such amendment a new section as follows:
21 "Further amend House Joint Resolution 6 by striking the title
22 and substituting therefor the following:
23 'A Joint Resolution proposing an amendment to the Constitution
24 of the State of Iowa, relating to representation in the
House of Representatives of the General Assembly.'"

Filed and lost
April 10, 1957

REPPERT of Polk.

HOUSE JOINT RESOLUTION 6

- 1 Amend the Reppert amendment to House Joint Resolution
- 2 6, Section one (1), line thirteen (13) by striking the
- 3 period (.) following the word "representative" and inserting
- 4 in lieu thereof the words "and the assembly shall divide
- 5 each county entitled to more than one representative into
- 6 representative districts of contiguous territory, as compact
- 7 and nearly equal in population as may be, in each of which
- 8 one representative shall be elected."

Offered and lost
April 10, 1957.

BALCH of Black Hawk. *lost*

HOUSE JOINT RESOLUTION 6

- 1 Amend the Reppert amendment to House Joint Resolution 6,
- 2 Section one (1), line eleven (11) and twelve (12) by striking
- 3 the words "at the first regular session of the General Assembly
- 4 following said census" and insert in lieu thereof the words
- 5 "in years ending in three".

Offered and adopted
April 10, 1957.

JOHNS of Tama. *adopted*

HOUSE JOINT RESOLUTION 6

- 1 Amend the Reppert amendment to House Joint Resolution 6,
- 2 section one (1), line thirteen (13), by striking the period (.)
- 3 and quotation mark (") and inserting in lieu thereof the words
- 4 "and the general assembly shall divide each county entitled to
- 5 more than one (1) representative into districts and each of said
- 6 districts within such county shall have not more than one (1)
- 7 representative."

Offered and withdrawn
April 10, 1957.

CARSON of Buchanan.

HOUSE JOINT RESOLUTION 6

- 1 Amend the amendment to House Joint Resolution 6 by Mowry
- 2 and Wilson filed April 4, 1957, as follows:
- 3 1. By striking section three (3) and substituting therefor
- 4 the following:
- 5 "Section thirty-six (36) and all amendments thereto of
- 6 Article Three (III), Legislative Department, Constitution of
- 7 Iowa, is hereby repealed."
- 8 2. By striking section four (4).
- 9 3. By striking section five (5).

Filed and adopted
April 12, 1957.

MOWRY of Marshall.
WILSON of Calhoun.

HOUSE JOINT RESOLUTION 6

- 1 Amend House Joint Resolution 6, section three (3),
- 2 by striking from lines five (5) and six (6) the words
- 3 and figures "ninety-nine (99) members." and inserting
- 4 in lieu thereof the following: "a total number of
- 5 members equal to the total number of counties."

Filed and adopted
April 12, 1957.

BALCH of Black Hawk.

HOUSE JOINT RESOLUTION 6

- 1 Amend House Joint Resolution 6, section two (2),
- 2 lines five (5), six (6) and seven (7), by striking the
- 3 word and figures "sixty (60)" in each of said lines
- 4 and inserting in lieu thereof the word and figures
- 5 "seventy (70)" in each of said lines.

Filed and lost
April 12, 1957.

BALCH of Black Hawk