

February 7, 1957.  
Passed on File.

S. J. R. 11  
By MILLER.

Passed Senate, Date..... Passed House, Date.....  
Vote: Ayes..... Nays..... Vote: Ayes..... Nays.....  
Approved.....

## SENATE JOINT RESOLUTION

A Joint Resolution proposing to add to Article Three (III) of the Constitution of the State of Iowa provisions reserving to the people of the State of Iowa the initiative and referendum.

*Be It Enacted by the General Assembly of the State of Iowa:*

- 1 Section 1. Article (III) of the Constitution of the State
- 2 of Iowa is amended by adding thereto the following:
- 3 "Notwithstanding the authority hereinbefore vested in the
- 4 General Assembly, the people of the State of Iowa reserve to
- 5 themselves the power to propose laws and amendments to the Con-
- 6 stitution, and to adopt or reject the same at the polls, in-
- 7 dependent of the Legislature, and also reserve the power at their
- 8 own option to approve or reject at the polls any Act, or section
- 9 or part of any Act passed by the Legislature.
- 10 a. The first power reserved by the people is the initia-
- 11 tive whereby laws may be enacted and Constitutional amendments
- 12 adopted by the people independently of the Legislature. This
- 13 power may be invoked by petition wherein the proposed measure
- 14 shall be set forth at length. If the petition be for the en-
- 15 actment of a law, it shall be signed by seven (7) per cent of
- 16 the electors of the State and if the petition be for the amend-
- 17 ment of the Constitution, the petition therefor shall be signed
- 18 by ten (10) per cent of such electors. In all cases the electors
- 19 signing such petition shall be so distributed as to include

20 five (5) per cent of the electors of each of two-fifths (2/5)  
21 of the counties of the State and when thus signed the petition  
22 shall be filed with the Secretary of State, who shall submit  
23 the measure thus proposed to the electors of the State at the  
24 first general election held not less than four (4) months after  
25 such petition shall have been filed. The same measure, either  
26 in form or in essential substance, shall not be submitted to  
27 the people by initiative petition, either affirmatively or neg-  
28 atively, oftener than once in three (3) years. If conflicting  
29 measures submitted to the people at the same election be ap-  
30 proved, the one receiving the highest number of affirmative votes  
31 shall thereby become law as to all conflicting provisions. The  
32 Constitutional limitations as to the scope and subject matter of  
33 statutes enacted by the Legislature shall apply to those enact-  
34 ed by the initiative.

35 b. The second power reserved is the referendum which may  
36 be invoked, by petition, against any Act or part of an Act of  
37 the Legislature, except those making appropriations for the ex-  
38 pense of the State Government or a State institution existing  
39 at the time of the passage of such Act. Petitions invoking the  
40 referendum shall be signed by not less than five (5) per cent  
41 of the electors of the State, distributed as required for in-  
42 itiative petitions, and filed in the office of the Secretary of  
43 State within ninety (90) days after the Legislature at which  
44 the Act sought to be referred was passed shall have adjourned  
45 sine die or for more than ninety (90) days. Such petition shall  
46 set out the title of the Act against which the referendum is in-  
47 voked, and in addition thereto, when only a portion of the Act  
48 is sought to be referred, the number of the section or sections

49 or portion of sections of the Act designating such portion. When  
50 the referendum is thus invoked, the Secretary of State shall  
51 refer the same to the electors for approval or rejection at the  
52 first general election to be held not less than thirty (30) days  
53 after the filing of such petition.

54 When the referendum is invoked, as to any Act or part of Act,  
55 other than emergency Acts or those for the immediate preserva-  
56 tion of the public peace, health or safety, by petition signed  
57 by not less than ten (10) per cent of the electors of the State,  
58 distributed as aforesaid, it shall suspend the taking effect of  
59 such Act or part of Act until the same has been approved by the  
60 electors of the State.

61 c. The whole number of votes cast for Governor at the  
62 general election next preceding the filing of an initiative or  
63 referendum petition shall be the basis on which the number of  
64 signatures to such petition shall be computed. The veto power  
65 of the Governor shall not extend to measures initiated by or  
66 referred to the people. A measure initiated shall become a law  
67 or part of the Constitution, as the case may be, when a majority  
68 of the votes cast thereon, and not less than thirty-five (35)  
69 per cent of the total vote cast at the election at which the  
70 same was submitted, are cast in favor thereof, and shall take  
71 effect upon proclamation by the Governor which shall be made  
72 within ten (10) days after the official canvass of such votes.  
73 A measure referred shall cease to be law if a majority of the  
74 votes cast thereon, and not less than thirty-five (35) per cent  
75 of the total vote cast at the election at which the same was  
76 submitted, are cast against the same. The vote was initia-  
77 tive and referendum measures shall be returned and canvassed

78 in the manner prescribed for the canvass of votes for the Pres-  
79 ident. The method of submitting and adopting amendments to the  
80 Constitution provided by this section shall be supplementary to  
81 the method prescribed in Article Ten (X), and the latter shall  
82 in no case be construed to conflict herewith. The provisions  
83 with respect to the initiative and referendum shall be self-  
84 executing, but legislation may be enacted to facilitate their  
85 operation. All propositions submitted in pursuance hereof shall  
86 be submitted in a non-partisan manner and without any indication  
87 or suggestion on the ballot that they have been approved or en-  
88 dorsed by any political party or organization. Only the title  
89 or proper descriptive words of measures shall be printed on the  
90 ballot and when two (2) or more measures have the same title  
91 they shall be numbered consecutively in the order of filing with  
92 the Secretary of State and the number shall be followed by the  
93 name of the first petitioner on the corresponding petition."

SENATE JOINT RESOLUTION 11

1 Amend Senate Joint Resolution 11 as follows: Strike the  
2 word "was" following the word "vote" in line 76 of section  
3 one (1), subsection "c", and insert in lieu thereof the word  
4 "on".

Filed  
February 14, 1957.

By MILLER.