

January 24, 1961.
Reapportionment
and Redistricting.

H. J. R. 14
By HANSON of Lyon and
MENSING (Dykhouse).

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

HOUSE JOINT RESOLUTION

A Joint Resolution proposing amendments to the Constitution of the State of Iowa relating to the apportionment of Senators and Representatives in the General Assembly by proposing to repeal sections six (6) of Article Three (III), thirty-four (34), thirty-five (35) and thirty-six (36) of said Article Three (III) as adopted by amendment in 1904 A.D. and to repeal the amendment to section thirty-four (34) of Article Three (III) adopted in 1928 A.D. and to repeal section thirty-seven (37) of Article Three (III) and proposing to adopt substitutes in lieu thereof.

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

1 Section 1. The following amendment to the Constitution of the
2 State of Iowa is hereby proposed:

3 Section six (6) of Article Three (III) of the Constitution of
4 the state of Iowa and sections thirty-four (34), thirty-five (35)
5 and thirty-six (36) of said Article Three (III) as adopted by
6 amendment in 1904 A.D. and the amendment to section thirty-four
7 (34) of Article Three (III) adopted in 1928 A.D. and section
8 thirty-seven (37) of said Article Three (III) are hereby repealed
9 and the following adopted in lieu thereof:

10 "Section 6. The Senate shall consist of fifty members one-
11 half of whom shall be elected every two years. Senators shall
12 be elected from districts established by law so that each dis-
13 trict shall consist of two conterminous counties; except that
14 the county with the greatest area shall comprise one district
15 and no county shall be divided. The terms of all senators
16 elected prior to the adoption of this amendment shall terminate

17 on December 31, 1966. Senators elected at the first general
18 election after the adoption of this amendment shall be elected
19 for four-year terms in even-numbered districts and for two-year
20 terms in odd-numbered districts.

21 "Section 34. The senatorial districts shall be established
22 by law at the first regular session of the General Assembly held
23 after adoption of this amendment and not oftener than once in
24 each ten-year period thereafter.

25 "Section 35. The House of Representatives shall consist of
26 members elected at each general election and apportioned in the
27 following manner. The ratio of representation shall be the whole
28 number of inhabitants of the state, as shown by the latest preced-
29 ing decennial national census, divided by the whole number of
30 counties then existing and organized. Each county having a
31 population equal to one ratio or less shall elect one representa-
32 tive except any county having less than one-half ratio shall be
33 joined to another contiguous county having less than one-half
34 ratio or to the adjoining contiguous county having the least
35 population to form a representative district and such district
36 shall be entitled to one representative. Counties joining only
37 at the point of a corner shall not be deemed contiguous. Each
38 county having a population of more than one ratio shall elect
39 one representative for each full ratio and one additional for
40 each fraction of a ratio of one-half or more. On the taking
41 of each decennial census of the United States the Secretary
42 of State shall certify, to the next succeeding regular General
43 Assembly and to the Supreme Court, the official whole number
44 of inhabitants of the state and the population of each county.

45 "Section 36. Upon receipt by the Supreme Court of the official

46 certification by the Secretary of State of the population of the
47 state and counties after each decennial national census, the
48 Supreme Court shall appoint, in each county entitled to more than
49 one representative, a commission of three resident members, one of
50 whom shall be the senior member of the district court in and for
51 such county, which commission shall divide such county into repre-
52 sentative districts of contiguous territory, as compact and nearly
53 equal in population as may be, in each of which one representative
54 shall be elected at the succeeding general election.

55 "Section 37. When a congressional district shall be composed
56 of two or more counties, it shall not be entirely separated by
57 any county belonging to another district, and no county shall be
58 divided."

1 Sec. 2. The foregoing proposed amendment to the Constitution
2 of the State of Iowa is hereby referred to the General Assembly
3 to be chosen at the next general election and the Secretary of
4 State is directed to cause the same to be published as provided by
5 law for three months previous to the time of making such choice.

EXPLANATION OF H. J. R. 15

1. It provides a Senate on a strictly area basis making no concession to any county having a large population. It keeps the size of the Senate at 50 members elected from districts of approximately the same size in area. This provides protection for the sparsely populated areas much the same as the Senate in the U. S. Congress has equal representation from every state.

2. It provides for a House on a strictly population basis. Counties would get representation directly in proportion to their population. The counties with larger population would get more representation and each county with very small population would be combined with another county with small population. There would be 16 such two-county districts under the present census.

3. A ratio of representation is provided by dividing the whole population of the state by the number of counties. The larger the population as a whole, the larger the ratio and the more difficult for the larger populated counties to get additional representation. This makes for stability in size of the House.

4. Small counties in population are combined into districts with other small counties so that in any representative district neither county will dominate and representation will rotate from county to county within the district in succeeding sessions of the general assembly.

5. The Senate districts and the two-county Representative districts are not "frozen" in the Constitution but are set up every ten years by the general assembly. In this way where necessary to have two-county Representative districts the same counties can be set up as the Senate district for the area. The formula by which the general assembly will act is definitely provided so that there should be a minimum of controversy in such redistricting by the legislature.

6. In counties where more Representatives than one are to be elected they are to be chosen from districts so that no voter will vote for more than one representative. This

gives minority groups in these counties representation in the legislature where before they had none.

7. Representative districts in these counties would be set up by a committee of three, appointed by the Supreme Court, one of whom would be a judge of the district court. In this way partisan considerations would be protected but not allowed to dominate the adjustment of district lines.

P.S. The fraction of one-half a ratio in section 35, for additional representation, might be changed to any other fraction such as $\frac{3}{8}$, $\frac{2}{3}$, $\frac{1}{2}$ etc. These changes would vary the size of the House from 117 as provided by $\frac{1}{2}$ ratio to 110 as provided by $\frac{3}{8}$ ratio.