

February 24, 1961.
Reapportionment and Redistricting.

H. J. R. 25
By MOWRY.

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

HOUSE JOINT RESOLUTION

A Joint Resolution proposing a constitutional amendment relating to representation in the general assembly.

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

1 Section 1. The following amendment to the constitution of
2 the state of Iowa is hereby proposed:

3 Section three (3) of Article Three (III) as amended in
4 1916, is hereby amended by striking from line two (2) the words
5 "House of Representatives" and inserting in lieu thereof the
6 word "Senate".

7 Section four (4) of Article Three (III), as amended in 1880
8 and 1926, is hereby amended by striking from line two (2) the
9 words "House of Representatives" and inserting in lieu thereof
10 the word "Senate".

11 Section five (5) of Article Three (III) is hereby amended
12 as follows:

13 1. By striking from line one (1) the word "Senators" and
14 inserting in lieu thereof the word "Representatives".

15 2. By striking from line three (3) and line five (5) the
16 word "Representatives" and inserting in lieu thereof the word
17 "Senators".

18 Section six (6) of Article Three (III), section thirty-four
19 (34) of Article Three (III) as amended in 1904 and 1928,
20 sections thirty-five (35), and thirty-six (36) of Article

21 Three (III) as amended in 1904, and section thirty-seven (37)
22 of Article Three (III) are hereby repealed and the following
23 adopted in lieu thereof:

24 "Section 6. The senate shall consist of ninety-nine members,
25 one elected from each county as county lines existed on
26 January 1, 1961.

27 "Section 34. The house shall consist of fifty-five
28 representatives, one representative elected from each
29 representative district. For each redistricting, changed
30 representative districts shall be so classified by lot by the
31 redistricting authority so that as nearly as possible one-half
32 of the representatives shall be elected every two years.

33 "If a representative district is unchanged or is reduced in
34 size no new territory is added to it, and the incumbent
35 representative resides in the district of reduced size or the
36 unchanged district and he shall be permitted to complete the
37 term for which he was elected, and the representative district
38 shall remain in the same class of districts.

39 "The redistricting authority shall provide in its redistricting
40 statement, law, or court order for the cutting short of terms of
41 representatives, where necessary. Any representative whose term
42 is cut short by a redistricting shall not be compensated for the
43 uncompleted part of his term.

44 "Section 35. Representative districts shall meet the following
45 requirements:

46 "1. Each shall have a population, as shown by the most recent
47 decennial United States census, equal to that of every other
48 district, a deviation of no more than ten percent from the
49 population unit (the state population divided by fifty-five)

50 being allowed.

51 "2. Each shall consist of compact and contiguous territory;
52 areas joined only at the point of a corner shall not be regarded
53 as contiguous.

54 "3. So far as practicable, a county shall not be divided
55 unless it is entitled to more than one district, and
56 representative district lines shall conform to township and
57 voting district boundaries.

58 "Section 36. In 1965 and in the year ending in three of
59 each decade thereafter, the representative districts shall be
60 redistricted.

61 "By November fifteen in 1964 and in the year ending in
62 two of each decade thereafter, a ten-member redistricting
63 commission shall be appointed to redistrict representative
64 districts. The state central committee of the two political
65 parties casting the largest number of votes for governor in the
66 last preceding election shall each appoint five qualified voters.
67 If a party fails to submit such names to the secretary of state
68 by November fifteen, the supreme court shall promptly appoint
69 the members from such party. Compensation for members of the
70 commission shall be established by law.

71 "By February one of the year following its appointment, the
72 redistricting commission shall file with the secretary of
73 state a statement of its action, including the boundaries and
74 classification of representative districts. To be valid,
75 this statement must be signed by seven members. The general
76 assembly may amend this statement or enact a substitute, but
77 such action must be taken by May one of such year.

78 "If the redistricting commission does not file its

79 redistricting statement by February one of the year following
80 its appointment, the general assembly shall redistrict the
81 representative districts in a single legislative enactment
82 by May one of such year.

83 "If the commission and the general assembly fail to redistrict
84 within the time allotted, the supreme court shall redistrict by
85 October one of such year. The action of the court shall be
86 entered and certified to the secretary of state by court order,
87 which shall be final.

88 "Before June one of such year, any ten members of the general
89 assembly may petition the supreme court to determine whether the
90 redistricting of the commission or the general assembly
91 substantially complies with the redistricting provisions of the
92 constitution. If the redistricting substantially complies, the
93 court shall so notify the secretary of state, and the decision
94 shall be final. If the court determines that the redistricting
95 does not substantially comply, it shall redistrict as provided in
96 the preceding paragraph of this section.

97 "Section 37. Redistricting shall take effect beginning for
98 the nomination and election of representatives for the next
99 regular session of the general assembly following the adoption
100 of the redistricting statement, law, or court order."

1 Sec. 2. The foregoing proposed amendment is hereby referred
2 to the general assembly to be chosen at the next general election
3 for members of the general assembly and the secretary of state
4 is directed to cause the same to be published for three
5 consecutive months before the date of said election as provided
6 by law.

EXPLANATION OF H. J. R. 25

This joint resolution reapportions the legislature on a population and area basis. It provides for a senator from each county as they now exist and 55 representative districts to be apportioned on a population basis by a redistricting commission made up of ten qualified voters, five to be appointed from each of the two political parties casting the largest number of votes for governor in the last preceding election. This commission's action may be amended by the general assembly. If the commission and the general assembly fail to redistrict within the time allotted the supreme court shall redistrict. Senators shall serve a two-year term and representatives a four-year term.