

January 14, 1963.

Passed on File.

Legislative Redistricting 1/15 Pass 1/23

Passed Senate, Date... *1-29-63*...

Vote: Ayes... *51*... Nays... *19*...

S. J. R. 1

By SHAFF.

Reapportionment, Pass 1/31

Passed House, Date... *2-6-63*...

Vote: Ayes... *79*... Nays... *26*...

Approved.....

JOINT RESOLUTION

A Joint Resolution proposing a constitutional amendment to the Constitution of the State of Iowa relating to the composition of the general assembly, the basis of representation of the members thereof, and to amend such Constitution by repeal of Section six (6), Article three (III) thereof, Section thirty-four (34) of such Article three (III) thereof and the 1904 and 1928 amendments thereto, Sections thirty-five (35) and thirty-six (36) of such Article three (III), and the 1904 amendment to each such section, and Section thirty-seven (37) of said Article three (III), and proposing 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), section thirty-four
- 4 (34) of Article three (III) and the 1904 and 1928 amendments
- 5 thereto, sections thirty-five (35) and thirty-six (36) of Article
- 6 three (III) and the 1904 amendment to each such section, and
- 7 section thirty-seven (37) of Article three (III) are hereby
- 8 repealed and the following proposed in lieu thereof:
- 9 "Section 6. The senate shall consist of fifty-eight (58)
- 10 senators, one (1) senator elected from each senatorial district.
- 11 For each redistricting, changed senatorial districts shall be
- 12 so classified by lot by the redistricting authority so that as
- 13 nearly as possible one-half of the senators shall be elected
- 14 every two (2) years.
- 15 "If a senatorial district is unchanged or is reduced in size
- 16 and no new territory is added to it, and the incumbent senator

17 resides in the district of reduced size or the unchanged district.
18 he shall be permitted to complete the term for which he was
19 elected, and the senatorial district shall remain in the same
20 class of districts.

21 "The redistricting authority shall provide in its redistricting
22 statement, law, or court order for the cutting short of terms of
23 senators, where necessary. Any senator whose term is cut short
24 by a redistricting shall not be compensated for the uncompleted
25 part of his term.

26 "Section 34. The house of representatives shall consist of
27 ninety-nine (99) members, one (1) elected from each county as
28 county lines existed on January 1, 1961.

29 "Section 35. Senatorial districts shall meet the following
30 requirements:

31 "1. Each shall have a population, as shown by the most recent
32 decennial United States census, equal to that of every other
33 district, a deviation of no more than ten (10) percent from the
34 population unit (the state population divided by fifty-eight
35 (58)) being allowed.

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

39 "3. So far as practicable, a county shall not be divided
40 unless it is entitled to more than one (1) district, and
41 senatorial district lines shall conform to township and voting
42 district boundaries.

43 "Section 36. In 1965 and in the year ending in three (3) of
44 each decade thereafter, the senatorial districts shall be
45 redistricted.

46 "By November fifteen (15) in 1964 and in the year ending in
47 two (2) of each decade thereafter, a ten (10) member redistricting
48 commission shall be appointed to redistrict senatorial districts.
49 The state central committee of the two (2) political parties
50 casting the largest number of votes for governor in the last
51 preceding election shall each appoint five (5) qualified voters.
52 If a party fails to submit such names to the secretary of state by
53 November fifteen (15), the supreme court shall promptly appoint
54 the members from such party. Compensation for members of the
55 commission shall be established by law.

56 "By February one (1) of the year following its appointment, the
57 redistricting commission shall file with the secretary of state a
58 statement of its action, including the boundaries and
59 classification of senatorial districts. To be valid, this state-
60 ment must be signed by seven (7) members. The general assembly
61 may amend this statement or enact a substitute, but such action
62 must be taken by May one (1) of such year.

63 "If the redistricting commission does not file its re-
64 districting statement by February one (1) of the year following
65 its appointment, the general assembly shall redistrict the
66 senatorial districts in a single legislative enactment by May
67 one (1) of such year.

68 "If the commission and the general assembly fail to redistrict
69 within the time allotted, the supreme court shall redistrict by
70 October one (1) of such year. The action of the court shall be
71 entered and certified to the secretary of state by court order,
72 which shall be final.

73 "Before June one (1) of such year, any ten (10) members of
74 the general assembly may petition the supreme court to determine

75 whether the redistricting of the commission or the general assembly
76 substantially complies with the redistricting provisions of the
77 constitution. If the redistricting substantially complies, the
78 court shall so notify the secretary of state, and the decision
79 shall be final. If the court determines that the redistricting
80 does not substantially comply, it shall redistrict as provided
81 in the preceding paragraph of this section.

82 "Section 37. Redistricting shall take effect beginning for
83 the nomination and election of senators for the next regular
84 session of the general assembly following the adoption of the
85 redistricting statement, law, or court order. When a congress-
86 sional or senatorial district shall be composed of two (2) or
87 more counties, it shall not be entirely separated by any county
88 belonging to another district, and no county shall be divided
89 in forming a congressional district."

1 Sec. 2. The foregoing amendment to the Constitution of the
2 State of Iowa has been adopted and agreed to by the Fifty-ninth
3 (59th) General Assembly, and having been referred by such
4 Assembly to the Legislature to be chosen in the next general
5 election, being the 60th General Assembly, and having been duly
6 published in accordance with and in compliance with the direction
7 of the Fifty-ninth (59th) General Assembly, it is now adopted
8 and agreed to by the Sixtieth (60th) General Assembly in this
9 Joint Resolution, and shall be submitted to the people at a
10 special election to be held for that purpose on the first Tuesday
11 in December in the year nineteen hundred sixty-three (1963) in
12 accordance with the directions of Article X of the Constitution
13 of Iowa. The submission at said special election shall in all
14 respects be governed and conducted as prescribed by law and the
15 Constitution of Iowa for the submission of a constitutional
16 amendment at a general election.

1 Amend Senate Joint Resolution 1 as follows:
2 1. Amend the Turner amendment filed January 24, 1963 by
3 striking all of lines 22 through 30 and inserting in lieu
4 thereof the following: "The legislature shall make the
5 determination of the number of representatives to which
6 each county in the district is entitled and make certifica-
7 tion thereof to the secretary of state. Upon a finding by
8 the legislature that a county is entitled to more than one
9 representative it shall divide said county into the necessary
10 districts and include a statement of the boundaries thereof
11 in said certification, and one representative shall there-
12 after be elected from each such district."

Filed and adopted
January 29, 1963.

By NOLAN.

1 Amend Senate Joint Resolution 1 as follows:
2 Amend section 1 by striking the word "proposed"
3 in line 8 and substituting in lieu thereof the word
4 "adopted".

Filed *Jan 15 - 23*
January 15, 1963.

By DYKHOUSE, TURNER, NOLAN and WEARIN

1 Amend Senate Journal Resolution 1 as follows:
2 1. By striking all after the Resolving Clause and
3 inserting in lieu thereof the following:
4 Section 1 The following amendment to the Constitution
5 of the state of Iowa is hereby proposed:
6 "Section thirty-five (35) of Article Three (III) of the
7 Constitution of Iowa, as amended by the amendment of nineteen
8 hundred and four (1904) is hereby repealed and the following
9 adopted in lieu thereof:
10 "Section 35. Every county shall be entitled to at least
11 one representative in the House of Representatives.
12 "During the calendar year following the general election
13 held in the year 1966 and every four years thereafter, a ratio
14 of representation for members of the House of Representatives
15 shall be determined by dividing the whole number of votes cast
16 for governor in the state at that election by the number of
17 counties then existing. Any county having cast at such election,
18 a total vote for governor equal to twice said ratio shall be
19 entitled to elect two representatives at the next general
20 election, and one additional for each portion of said total
21 vote equal to the ratio and above twice said ratio.
22 "The judges of the district court of each judicial district
23 sitting en banc shall make the determination of the number of
24 representatives to which each county in the district is entitled
25 and make certification thereof to the secretary of state. Upon
26 a finding by said judges that a county is entitled to more
27 than one representative they shall divide said county into the
28 necessary districts and include a statement of the boundaries
29 thereof in said certification, and one representative shall
30 thereafter be elected from each such district.
31 "Members of the House of Representatives serving under
32 authority of the Constitution prior to this amendment shall
33 continue in office until their successors are elected and
34 qualified hereunder."
35 2. Amend the title to Senate Journal Resolution 1 by
36 striking all after the word "Resolution" in line one (1) and
37 inserting in lieu thereof the following: "to propose a
38 constitutional amendment relating to representation in the
39 House of Representatives of the state."

Filed - *Jan 1 - 29*
January 24, 1963.

By TURNER.

1 Amend Senate Joint Resolution 1 as follows:
2 1 Amend section 2 by striking from lines 9, 10, and 11
3 the words and numbers "a special election to be held for that
4 purpose on the first Tuesday in December in the year nineteen
5 hundred sixty-three (1963)" and inserting in lieu thereof the
6 following: "the general election to be held on Tuesday next
7 after the first Monday in November in the year nineteen hundred
8 sixty-four (1964)".
9 2. Further amend section 2 by striking from lines 13, 14,
10 15 and 16 the following: "The submission at said special
11 election shall in all respects be governed and conducted as
12 prescribed by law and the Constitution of Iowa for the submission
13 of a constitutional amendment at a general election."

Filed *Jan 24*
January 24, 1963.

By HILL.

1 Amend Senate Joint Resolution 1 as follows:
2 1. Amend Section 1 by striking all of lines 26, 27, and
3 28 and insert in lieu thereof the following:
4 "Section 34. The house of representatives shall consist
5 of one (1) representative from each county."

Filed
January 28, 1963.

By O'MALLEY.

Jan 1 - 29