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Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## SENATE JOINT RESOLUTION

A Joint Resolution proposing an amendment to the Constitution of the state of Iowa relating to the composition and apportionment of the general assembly, the basis of representation of the members thereof, and the establishment of congressional districts.

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

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

3 Section six (6) of Article three (III), section thirty-  
4 four (34) of Article three (III) and the 1904 and 1928 amendments  
5 thereto, sections thirty-five (35) and thirty-six (36) of  
6 Article three (III) and the 1904 amendment to each such section,  
7 and section thirty-seven (37) of Article three (III) are  
8 hereby repealed and the following adopted in lieu thereof:

9 "Section 6. The number of senators shall total not more  
10 than one-half (1/2) the membership of the house of representatives.  
11 Senators shall be classified so that as nearly as possible  
12 one-half (1/2) of the members of the senate shall be elected  
13 every two (2) years.

14 "Section 34. The senate shall be composed of not more  
15 than fifty (50) and the house of representatives of not

16 more than one hundred (100) members. Senators and representatives  
17 shall be elected from districts established by law. Each  
18 district so established shall be of compact and conterminous  
19 territory. The number of senatorial districts shall be equal  
20 to the number of senators, and one (1) senator shall be elected  
21 from each senatorial district. The number of representative  
22 districts shall be equal to the number of representatives,  
23 and one (1) representative shall be elected from each representa-  
24 tive district. The state shall be apportioned into senatorial  
25 and representative districts on the basis of population.  
26 However, the general assembly may provide by law for factors  
27 in addition to population, not in conflict with the Constitution  
28 of the United States, which may be considered in the apportioning  
29 of senatorial districts. No law so adopted shall permit  
30 the establishment of senatorial districts whereby a majority  
31 of the members of the senate shall represent less than forty  
32 (40) percent of the population of the state as shown by the  
33 most recent United States decennial census.

34 "Section 35. The general assembly, at its first session  
35 which begins after this amendment is ratified, and after  
36 each United States decennial census at its first session  
37 during which the necessary official population statistics  
38 for said census are available or become available, shall  
39 adopt an apportionment which shall specify the number of  
40 senators and representatives to be elected to the general  
41 assembly and establish senatorial and representative districts.  
42 The apportionment shall comply with all requirements of the  
43 Constitution and shall remain in effect until the next decennial  
44 apportionment hereunder. The general assembly shall complete  
45 the apportionment during said session. If the apportionment  
46 fails to become law during said session, the supreme court  
47 shall cause the state to be apportioned into senatorial and  
48 representative districts to comply with the requirements  
49 of the Constitution within ninety (90) days after adjourn-  
50 ment of said session. The reapportioning authority may,  
51 where necessary in establishing senatorial districts, shorten  
52 and terminate the term of any senator. Any senator whose

53 term is so terminated shall not be compensated for the uncompleted  
54 part of the term. In establishing senatorial districts,  
55 the reapportioning authority may temporarily attach any area  
56 to another senatorial district.

57 "Section 36. Upon verified application by any qualified  
58 elector, the supreme court shall review an apportionment  
59 adopted by the general assembly which has been enacted into  
60 law. Should the supreme court determine such apportionment  
61 does not comply with the requirements of the Constitution,  
62 the court shall within ninety (90) days adopt or cause to  
63 be adopted an apportionment which shall so comply. The supreme  
64 court shall have original jurisdiction of all litigation  
65 questioning the apportionment of the general assembly or  
66 any apportionment adopted by the general assembly."

67 "Section 37. When a congressional district is composed  
68 of two (2) or more counties it shall not be entirely separated  
69 by a county belonging to another district and no county shall  
70 be divided in forming a congressional district."

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 for members of  
4 the general assembly and the secretary of state is directed  
5 to cause the same to be published for three (3) consecutive  
6 months previous to the date of said election as provided  
7 by law.

#### EXPLANATION OF S.J.R. 7

This permanent reapportionment plan provides a sound Constitutional method for Iowa legislative redistricting.

In many ways this Constitutional amendment is similar to the "permanent plan" (Chapter 473, 61st G.A.) which was approved in 1965. It reduces the size of the legislature to no more than 50 Senators and no more than 100 Representatives. It requires reapportionment every 10 years after the U.S. census.

The major differences between this plan and the 1965 "permanent plan" are:

1. This plan requires single-member districts ("subdistricting") in both houses. "One man, one vote" means that each Iowan should vote for only one Senator and only one Representative. Any "permanent" reapportionment plan must include this vital principle. The mandatory single-member district provision strengthens the plan and increases the likelihood that the voters of Iowa will approve the plan.

2. This plan would reduce the size of the legislature two years sooner than the 1965 plan. This plan requires redistricting by the first legislative session after this constitutional amendment is ratified by the voters. It is our intention that this plan (after approval by the 1967 and 1969 legislatures) will be submitted to the voters at a special election in the latter part of 1969. The 1970 legislative session (annual or special) would then redistrict and reduce the size of both houses for the 1970 election. The first redistricting under the 1965 "permanent plan" would be in 1971, for the 1972 election. Our plan avoids this needless delay.

3. The 1965 plan requires the redistricting to be done on a rigid schedule in the year ending in "1". This would be unworkable if the official census statistics for census tracts are not available before the 1971 legislative session adjourns. We have corrected this error by requiring the legislature to redistrict after each U.S. decennial census at its first session during which the necessary census statistics are available.

4. The 1965 "permanent plan" would require shortening the 4-year terms of some holdover Senators. Our plan permits this method, but adds an alternative method of handling the holdover problem: temporarily attaching areas to other Senate districts (as was done in the 1961 and 1964 redistricting laws).

Other minor errors in the 1965 "permanent plan" have also been corrected.

We should use great care in amending the Constitution. It would be a grave mistake to adopt a defective plan and then have to amend its defects. Our proposal corrects the mistakes of the 1965 plan and provides a reapportionment plan designed to serve Iowa well for many years.