

January 21, 1969

SENATE JOINT RESOLUTION 5

Passed on File

Constitutional Amendment By STANLEY, LANGE and POTGETER
re Apportionment 1-21 (Van Nostrand, McCartney, Shaw, Edgington,
Passed or amended 1-22 Varley, Van Drie, Millen and Lipsky)
House Constitutional Amendment 1-22
Passed 1-23

Passed Senate, Date *1-22-69* Passed House, Date *1-21-69*

Vote: Ayes *61* Nays *2* Vote: Ayes *117* Nays *9*

Approved

SENATE JOINT RESOLUTION

1 A Joint Resolution to establish a commission to conduct a
2 study of the apportionment of the general assembly and
3 to make recommendations to the general assembly.
4 WHEREAS, the Constitution of the state of Iowa provides
5 that the state of Iowa shall be apportioned into senatorial
6 and representative districts on the basis of population as
7 shown by the most recent United States decennial census, with
8 each district being of compact and contiguous territory, and

9 WHEREAS, the said Constitution further provides that the
10 number of senators in the senate shall total not more than
11 one-half the membership of the house of representatives, with
12 the senate to be composed of not more than fifty and the house
13 of representatives not more than one hundred members, and

14 WHEREAS, such senatorial and representative districts must
15 be established by the general assembly in conformance with
16 the said Constitution and prior to the primary elections to
17 be held in 1970, and

18 WHEREAS, it is desirable to expedite the establishment of
19 such senatorial and representative districts and to allow
20 the general assembly to devote its time to other matters,

21 NOW THEREFORE

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

23 Section 1. An apportionment commission of fourteen members
24 is hereby created. Within seven days after the effective date
25 of this Resolution, seven members shall be appointed by the

1 state chairman of the political party whose candidate for the
2 office of governor received the largest number of votes cast
3 for that office in the last general election, and seven mem-
4 bers shall be appointed by the state chairman of the political
5 party whose candidate received the next largest number of
6 votes cast for that office in the last general election. In
7 each case, the state chairman shall appoint one member from
8 each congressional district, who shall be a resident of that
9 district. If either state chairman fails to comply with this
10 section, the chief justice of the supreme court of Iowa shall
11 immediately make the appointments on behalf of the chairman.

12 Any vacancy by reason of the death or resignation of a member
13 shall be filled in the same manner as the original appointment.

14 Sec. 2. The commission shall organize, choose a chairman
15 from its membership and adopt rules for the conduct of its
16 proceedings. The commission may hold public hearings, con-
17 sult with representatives of political parties and groups,
18 employ staff and retain expert technical assistants. The
19 commission shall have access to all public records. It shall
20 have the power to subpoena. All public officials in this
21 state shall fully cooperate with the commission and shall
22 promptly furnish all information and assistance requested by
23 the commission.

24 It is the intent of the general assembly to provide by law
25 for compensation of members in the amount of forty dollars for
26 each day actually engaged in the performance of their duties
27 and reimbursement for their actual and necessary expenses.
28 The existence of the commission shall terminate upon April
29 2, 1969, except that the commission thereafter may correct
30 any errors in its apportionment plan.

31 Sec. 3. On or before March 15, 1969 if possible, and in
32 any event no later than April 1, 1969, the commission shall
33 file in the office of the secretary of state an apportionment
34 plan which shall be consistent with the following principles:

35 a. There shall be one hundred representative districts and

1 fifty senatorial districts. Each district shall be a single-
2 member district.

3 b. Both houses shall be apportioned on a population basis
4 as shown by the 1960 United States decennial census. Districts
5 shall be of substantially equal population and shall be of com-
6 pact and contiguous territory, as required by the Constitution
7 of the state of Iowa and Constitution of the United States.

8 c. Each senatorial district shall consist of two entire
9 representative districts.

10 d. No voting precinct shall be divided in forming a dis-
11 trict.

12 e. District boundaries shall follow county boundaries where-
13 ever possible, subject to constitutional requirements and the
14 other principles stated in this section.

15 f. Wherever possible, senators shall be permitted to com-
16 plete the terms for which they were elected. Any senator
17 elected in 1968 for a four-year term, and who is the only
18 senator residing in his district under the apportionment plan,
19 shall be permitted to complete his term. If two or more
20 senators reside in the same senatorial district under the
21 plan, that district shall elect a senator in the 1970 elec-
22 tions and terms shall be shortened where necessary to permit
23 such election.

24 Sec. 4. The general assembly shall by statute, either
25 adopt the apportionment plan as submitted or as modified by
26 the general assembly, or adopt a plan of its own. Any plan
27 adopted shall be applicable for the 1970 primary election,
28 the 1970 general election and any special election to fill
29 any vacancy in the general assembly occurring after December
30 31, 1970.

31 Sec. 5. This Resolution being deemed of immediate impor-
32 tance shall be in full force and effect from and after its
33 passage and publication in the Charles City Press, a newspaper
34 published at Charles City, Iowa, and in The Muscatine Journal,
35 a newspaper published at Muscatine, Iowa.

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- 1 Amend Senate Joint Resolution 5 as follows:
 - 2 1. Amend page three (3) by striking lines ten (10)
 - 3 and eleven (11).
 - 4 2. Amend page three (3), line twelve (12), by
 - 5 adding after the word "county" the words "and precinct".
 - 6 3. Further amend page three (3) by reindentifying
 - 7 the subsections in section three (3).

Filed and lost

January 24, 1969

By GANNON of Jasper

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- 1 Amend Senate Joint Resolution 5
 - 2 1. Amend Senate Joint Resolution 5 by adding after
 - 3 the word "be" in line thirty-five (35) on page two (2)
 - 4 thereof the following:
 - 5 "no more than".
 - 6 And further by adding after the word "hundred" in line
 - 7 thirty-five (35) on page two (2) thereof the following:
 - 8 "and no less than eighty".
 - 9 2. Amend Senate Joint Resolution 5 by adding after
 - 10 the word "and" in line thirty-five (35) on page two (2)
 - 11 thereof the following:
 - 12 "no more than".
 - 13 And further by adding after the word "fifty" in line
 - 14 one (1) on page three (3) thereof the following:
 - 15 "and no less than forty".

Filed and lost

January 24, 1969

By GANNON of Jasper

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- 1 1. Amend Senate Joint Resolution 5 by striking the
 - 2 period in line nine (9) on page three (3) thereof, and
 - 3 by inserting in lieu thereof the following:
 - 4 "wherever possible and practical."

Filed and lost

January 24, 1969

By BENNETT of Polk

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- 1 Amend Senate Joint Resolution 5
 - 2 Amend Senate Joint Resolution 5 as follows: On
 - 3 page 1, insert the following after the period in line 24:
 - 4 "No member of the commission shall also be a present member
 - 5 of the general assembly."

Filed and adopted ✓
January 22, 1969

Senate
By WEIMER

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- 1 Amend Senate Joint Resolution 5 as follows:
 - 2 Amend Senate Joint Resolution 5, page 1, line 23,
 - 3 by adding after the word "members" the following: ", no member
 - 4 of which shall also be a present member of the general assembly,".

Filed and withdrawn ✓
January 22, 1969

By WEIMER

- 1 Amend Senate Joint Resolution 5 by inserting in line thirty
- 2 (30) of section four (4) by striking the period (.) and by in-
- 3 serting in lieu thereof the following:
- 4 "until March 31, 1972."

Filed and lost ✓
January 22, 1969

By GAUDINEER

- 1 Amend Senate Joint Resolution 5 by adding after the word
- 2 "expenses" in line twenty-seven (27) on page two (2) the follow-
- 3 ing: "and all other expenses incurred by the commission in the
- 4 performance of its duties."

Filed and lost ✓
January 22, 1969

By GAUDINEER

- 1 Amend Senate Joint Resolution 5 by striking in section
- 2 three (3) all of subsection "d" and by inserting in lieu thereof
- 3 the following: "d. If a voting precinct must be divided, the
- 4 commission shall include in its report a list of all such
- 5 precincts."

Filed and ruled out of order
January 22, 1969

By GAUDINEER

- 1 1. Amend Senate Joint Resolution 5, page 3, line 3, by putting a
- 2 word "basis". period (.) after the
- 3 2. Further amend Senate Joint Resolution 5, page 3, line 4, by strik-
- 4 United States decennial census." ing "as shown by the 1960

Filed and lost ✓
January 22, 1969

By DENMAN

- 1 Amend Senate Joint Resolution 5 as follows:
- 2 1. Amend page 1, line 3, by adding after the word
- 3 "assembly" the words ", and stating principles for the
- 4 study and providing for legislative action".
- 5 2. Amend page 3, lines 12 and 13 by striking the
- 6 word "where-ever" and inserting in lieu thereof the word
- 7 "wherever".

Adopted 1-22-69

Filed and adopted ✓
January 22, 1969

COMMITTEE ON CONSTITUTIONAL
AMENDMENTS AND REAPPORTIONMENT
ELMER F. LANGE, Chairman

- 1 Amend Senate Joint Resolution 5 by striking all after the
- 2 word "be" in line thirty-five (35) of page two (2) and insert-
- 3 ing in lieu thereof the following:
- 4 "no more than one hundred (100) representative districts
- 5 and no more than".

Filed and withdrawn ✓
January 22, 1969

By GAUDINEER

- 1 Amend Senate Joint Resolution 5 as follows:
- 2 1. Amend page 3 by striking lines 10 and 11.
- 3 2. Amend page 3, line 12, by adding after the word
- 4 "county" the words "and precinct".
- 5 3. Further amend page 3 by reidentifying the subsections
- 6 in section 3.

Filed and lost ✓
January 22, 1969

By RIGLER

- 1 Amend Senate Joint Resolution 5 as follows:
- 2 Amend S. J. R. 5 by adding the word "be" in line 35
- 3 on page 2 thereof the following:
- 4 "no more than".
- 5 And inserting before the word "fifty" in line 1 on page 3
- 6 thereof the following:
- 7 "no more than".

Filed and lost ✓
January 22, 1969

By SHIRLEY

- 1 Amend Senate Joint Resolution 5 by adding the following new section after
- 2 section four (4):
- 3 "If the General Assembly shall fail to adopt an apportionment
- 4 plan by May 1, 1969, the supreme court shall cause the state to be
- 5 apportioned into senatorial and representative districts to comply
- 6 with the requirements of the Constitution prior to December 31, 1969,
- 7 and report such apportionment plan to the General Assembly for its
- 8 action prior to January 10, 1970. The court shall shorten the term
- 9 of any senator prior to completion, where necessary. Any senator
- 10 whose term is so terminated shall not be compensated for the un-
- 11 completed part of the term."

Filed and lost ✓
January 22, 1969

By GAUDINEER