

MAY 13 1977

STATE GOVERNMENT *Do pass 1/10/78 (p. 296)*

*Reprinted 2/78*

HOUSE JOINT RESOLUTION 12

By DYRLAND, JOCHUM, O'HALLORAN, SMALL, GILLOON, GENTLEMAN, CUSACK, TAUKE, HARGRAVE, RINAS, MONROE, BRUNOW, PATCHETT, HORN, EVANS, AVENSON, FITZGERALD, WELLS, HOFFMANN, THOMPSON, SHIMANEK, PELTON, BRANDT, CLARK of Lee, CRAWFORD, MILLER of Calhoun, JESSE, LONERGAN, KRAUSE, HIGGINS, BINA, SVOBODA, WALTER, EGENES, KREWSON, GARRISON, OXLEY, LINDEEN, LIPSKY, HINES, NEWHARD and CLARK of Cerro Gordo

Passed House, Date 1-31-78 (p. 296) Passed Senate, Date \_\_\_\_\_

Vote: Ayes 70 Nays 25 Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Approved \_\_\_\_\_

*Motion to reconsider 31 lost*

# HOUSE JOINT RESOLUTION

1 A Joint Resolution proposing an amendment to the Constitution  
 2 of the State of Iowa to provide that equality of rights  
 3 under the law shall not be denied or abridged by the state  
 4 or by any of its political subdivisions on account of sex.  
 5 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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

5026

3 Amend Article one (I) by adding the following new sec-  
4 tion:

5 NEW SECTION. Equality of rights under the law shall not  
6 be denied or abridged by the State or by any of its political  
7 subdivisions on account of sex.

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5026, 5027  
5028, 5029,  
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5032, 5033  
5034, 5035,  
5036, 5037,  
5038, 5039  
5040, 5041  
5042, 5043  
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5046, 5047  
5048, 5049  
5050, 5131,  
5052, 5133, 5151  
5049

8 Sec. 2. The foregoing proposed amendment to the Consti-  
9 tution of the State of Iowa is hereby referred to the general  
10 assembly to be chosen at the next general election for mem-  
11 bers of the general assembly, and the secretary of state is  
12 directed to cause the same to be published for three consecu-  
13 tive months before the date of said election as provided by  
14 law.

15 EXPLANATION

16 This resolution provides for an equal rights amendment  
17 to the Constitution of the State of Iowa.

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S-5298

1 Amend House Joint Resolution 12 as amended, passed  
 2 and reprinted by the House as follows:  
 3 1. Page 1, line 12, by inserting after the word  
 4 "gender" the following: "age, race, creed, color,  
 5 national origin, religion, or disability".

S-5298 FILED *Not germane 3/20* BY EUGENE M. HILL  
 MARCH 6, 1978 *(p. 597)*

HOUSE JOINT RESOLUTION 12

S-5299

1 Amend House Joint Resolution 12 as amended, passed  
 2 and reprinted by the House as follows:  
 3 1. Page 1, by striking lines 3 through 13 and in-  
 4 serting in lieu thereof the following:  
 5 "Amend Article one (1) of the Constitution of the  
 6 State of Iowa by adding the following new section:  
 7 NEW SECTION. Equality of rights under the law  
 8 shall not be denied or abridged by the State or any  
 9 of its political subdivisions on account of sex."  
 10 2. Title, by striking lines 3 through 5 and  
 11 inserting in lieu thereof the following:  
 12 "under the law shall not be denied or abridged  
 13 by the state or by any of its political subdivisions  
 14 on account of sex."

S-5299 FILED - *Last 3/20 (p. 597)* BY EUGENE M. HILL  
 MARCH 6, 1978

HOUSE JOINT RESOLUTION 12

S-5373

1 Amend House Joint Resolution 12 as amended, passed  
 2 and reprinted by the House as follows:  
 3 1. Page 1, by inserting after line 13 the follow-  
 4 ing new section:  
 5 "Sec. \_\_. It is declared to be the intent of the  
 6 general assembly in agreeing to the foregoing proposed  
 7 amendment to the Constitution of the State of Iowa  
 8 that a classification on the basis of gender shall not  
 9 be held to deny or restrict equality of rights if it  
 10 can be established that such classification is necessary  
 11 to accomplish a compelling state interest."  
 12 2. By renumbering the remaining sections to  
 13 conform with this amendment.

S-5373 FILED & ADOPTED *(p. 601)* BY RICHARD R. RAMSEY  
 MARCH 20, 1978 ELIZABETH R. MILLER  
 LUCAS J. DE KOSTER  
 C. JOSEPH COLEMAN  
 FORREST F. ASHCRAFT

1 Amend House Joint Resolution 12 as follows:  
 2 1. Page 1, line 13, by inserting after the period  
 3 the following:  
 4 "If the proposed amendment embodied within this  
 5 resolution is approved by the Sixty-seventh General  
 6 Assembly and the Sixty-eighth General Assembly, but is  
 7 not approved by a majority of the electors qualified  
 8 to vote for members of the general assembly as required  
 9 by section one (1) of article ten (X) of the Constitu-  
 10 tion of Iowa, such disapproval shall operate as a  
 11 rescission of the action of the second session of the  
 12 sixty-fourth General Assembly in approving Senate Joint  
 13 Resolution one thousand eight (1008) which proposed an  
 14 amendment to the Constitution of the United States  
 15 relative to equal rights for men and women.".....

S-5241 FILED - *Not german* BY RAY TAYLOR  
 FEBRUARY 23, 1978 *2/20 (597)* ELIZABETH R. MILLER  
 EUGENE M. HILL  
 FORREST F. ASHCRAFT

HOUSE JOINT RESOLUTION 12

S-5296

1 Amend House Joint Resolution 12 as amended, passed  
 2 and reprinted by the House as follows:  
 3 1. Page 1, line 13, by inserting after the period  
 4 the following: "This article shall not apply to any  
 5 law prohibiting sexual activity between persons of  
 6 the same sex or marriage of persons of the same sex."

S-5296 FILED *Lost 3/20 (p 598)* BY EUGENE M. HILL  
 MARCH 6, 1978

HOUSE JOINT RESOLUTION 12

S-5297

1 Amend House Joint Resolution 12 as amended, passed  
 2 and reprinted by the House, as follows:  
 3 1. Page 1, by striking lines 1 through 20, and  
 4 inserting in lieu thereof the following new sections:  
 5 NEW SECTION. "Sec. \_\_. The Sixty-seventh General  
 6 Assembly of the State of Iowa hereby rescinds Iowa's  
 7 ratification of the proposed equal rights amendment  
 8 to the Constitution of the United States. Chapter  
 9 one thousand one hundred forty (1140) of the Acts of  
 10 the Sixty-fourth General Assembly, 1972 Session is  
 11 repealed.  
 12 Sec. \_\_. The Governor of the State of Iowa shall  
 13 forward certified copies of this joint resolution  
 14 over the Seal of the State of Iowa to the Secretary  
 15 of State of the United States and to the Speaker of  
 16 the House of Representatives of the United States  
 17 and to the Administrator of the United States General  
 18 Services Administration."  
 19 2. Title page, by striking lines 1 through 5, and  
 20 inserting in lieu thereof the following: "A Joint  
 21 Resolution rescinding ratification of the proposed  
 22 amendment to the Constitution of the United States  
 23 relating to equal rights for men and women."

S-5297 FILED *Part of order 3/20* BY EUGENE M. HILL  
 MARCH 6, 1978 *(p. 594)*

HOUSE JOINT RESOLUTION 12

S-5375

1 Amend House Joint Resolution 12 as amended, passed  
2 and reprinted by the House as follows:  
3 1. Page 1, line 13, by inserting after the  
4 period the following: "The provisions of this  
5 Article shall not be construed to impair any  
6 rights, benefits, protections, or exemptions now  
7 or hereafter conferred by law upon persons of the  
8 female sex."

S-5375 FILED AND LOST (p. 600) BY RAY TAYLOR  
MARCH 20, 1978

SENATE AMENDMENT TO  
HOUSE JOINT RESOLUTION 12

H-5736

1 Amend House Joint Resolution 12 as amended, passed  
2 and reprinted by the House as follows:  
3 1. Page 1, by inserting after line 13 the follow-  
4 ing new section:  
5 "Sec. \_\_\_\_\_. It is declared to be the intent of the  
6 general assembly in agreeing to the foregoing proposed  
7 amendment to the Constitution of the State of Iowa  
8 that a classification on the basis of gender shall not  
9 be held to deny or restrict equality of rights if it  
10 can be established that such classification is necessary  
11 to accomplish a compelling state interest."  
12 2. By renumbering the remaining sections to  
13 conform with this amendment.

H-5736 FILED  
RECEIVED FROM SENATE  
MARCH 22, 1978

*Have covered 3/30 (p. 1266)*

HOUSE JOINT RESOLUTION 12

H-5832

1 Amend the Senate amendment H-5736, to House Joint  
2 Resolution 12, as passed by the House and reprinted,  
3 as follows:  
4 1. Page 1, line 4, by striking the word "section"  
5 and inserting in lieu thereof the word "sections".  
6 2. Page 1, by inserting after line 4 the follow-  
7 ing:  
8 "Sec. \_\_\_\_\_. If the proposed amendment embodied  
9 within this resolution is approved by the Sixty-seventh  
10 General Assembly and the Sixty-eighth General Assembly,  
11 but is not approved by a majority of the electors  
12 qualified to vote for members of the general assembly  
13 as required by section one (1) of article ten (X) of  
14 the Constitution of Iowa, such disapproval shall operate  
15 as a rescission of the action of the second session of  
16 the Sixty-fourth General Assembly in approving Senate  
17 Joint Resolution one thousand eight (1008) which pro-  
18 posed an amendment to the Constitution of the United  
19 States relative to equal rights for men and women."

H-5832 FILED, LOST (p. 1266) BY MILLER of Buchanan  
MARCH 30, 1978

Judiciary 2/8 Do pass 2/9

HOUSE JOINT  
RESOLUTION 12

Judiciary  
Glenn, Chairperson  
Coleman  
DeKoster  
Ramsey  
Rush

HOUSE JOINT RESOLUTION 12

By DYRLAND, JOCHUM, O'HALLORAN,  
SMALL, GILLOON, GENTLEMAN,  
CUSACK, TAUKE, HARGRAVE, RINAS,  
MONROE, BRUNOW, PATCHETT, HORN,  
EVANS, AVENSON, FITZGERALD,  
WELLS, HOFFMANN, THOMPSON,  
SHIMANEK, PELTON, BRANDT,  
CLARK of Lee, CRAWFORD, MILLER  
of Calhoun, JESSE, LONERGAN,  
KRAUSE, HIGGINS, BINA, SVOBODA,  
WALTER, EGENES, KREWSON,  
GARRISON, OXLEY, LINDEEN,  
LIPSKY, HINES, NEWHARD and  
CLARK of Cerro Gordo

(As Amended and Passed by the House)

Passed House, Date 3-30-78 (p. 1268) Passed Senate, Date 3-20-78 (p. 603)

Vote: Ayes 78 Nays 16 Vote: Ayes 37 Nays 11

Approved \_\_\_\_\_

## HOUSE JOINT RESOLUTION

1 A Joint Resolution proposing an amendment to the Constitution  
2 of the State of Iowa to provide that equality of rights  
3 of men and women under the law shall not be denied  
4 or restricted by the state or by any of its political  
5 subdivisions.

6 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
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13 House Amendments \_\_\_\_\_  
14  
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1 Section 1. The following amendment to the Constitution  
2 of the State of Iowa is hereby proposed.

3 Section one (1) of Article one (I) of the Constitution  
4 of the State of Iowa is repealed and the following adopted  
5 in lieu thereof:

6 NEW SECTION. RIGHTS OF PERSONS. Section 1. All men and  
7 women are, by nature, free and equal, and have certain  
8 inalienable rights--among which are those of enjoying and  
9 defending life and liberty, acquiring, possessing and  
10 protecting property, and pursuing and obtaining safety and  
11 happiness. Neither the State nor any of its political  
12 subdivisions shall, on the basis of gender, deny or restrict  
13 the equality of rights under the law.

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14 Sec. 2. The foregoing proposed amendment to the  
15 Constitution of the State of Iowa is hereby referred to the  
16 general assembly to be chosen at the next general election  
17 for members of the general assembly, and the secretary of  
18 state is directed to cause the same to be published for three  
19 consecutive months before the date of said election as provided  
20 by law.

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H-5184

- 1 Amend Amendment H-5180, to page one of House
- 2 Joint Resolution 12 as follows:
- 3 1. Page 1, line 17, by inserting after the
- 4 period the words "This section shall not impair the
- 5 validity of any law of the state which protects a
- 6 woman from being forced into prostitution."

H-5184 FILED  
JANUARY 31, 1978

BY DANKER of Pottawattamie

HOUSE JOINT RESOLUTION 12

H-5188

- 1 Amend amendment H-5185, to amendment H-5027, to
- 2 House Joint Resolution 12, as follows:
- 3 1. Page 1, line 13, by inserting after the word
- 4 "women" the words ", including conceived but unborn
- 5 persons".
- 6 2. Page 1, line 20, by inserting after the word
- 7 "law" the words ", nor deny or restrict the equality
- 8 of rights of conceived but unborn persons".
- 9 3. Page 1, line 29, by inserting after the word
- 10 "women" the words ", including conceived but unborn
- 11 persons".

H-5188 FILED  
JANUARY 31, 1978

BY SPENCER of Clay

HOUSE JOINT RESOLUTION 12

H-5182

- 1 Amend amendment H-5180, to amendment H-5027, to
- 2 House Joint Resolution 12, as follows:
- 3 1. Page 1, line 10, by inserting after the word
- 4 "women" the words ", including conceived but unborn
- 5 persons".
- 6 2. Page 1, line 17, by inserting after the word
- 7 "law" the words ", nor deny or restrict the equality
- 8 of rights of conceived but unborn persons".
- 9 3. Page 1, line 19, by inserting after the word
- 10 "women" the words ", including conceived but unborn
- 11 persons".

H-5182 FILED  
JANUARY 31, 1978

BY SPENCER of Clay

HOUSE JOINT RESOLUTION 12

H-5183

- 1 Amend Amendment H-5180, to page one of House
- 2 Joint Resolution 12 as follows:
- 3 1. Page 1, line 17, by inserting after the
- 4 period the words "This section shall not prohibit
- 5 single sex athletic programs such as girls' or boys'
- 6 basketball, baseball, or football teams."

H-5183 FILED  
JANUARY 31, 1978

BY DANKER of Pottawattamie

*Revised out  
of order  
with  
adoption  
of 5027  
1/31 (p. 294)*

H-5185

1 Amend amendment H-5027, to House Joint Resolution  
2 12 as follows:

3 1. Page 1, by striking lines 3 through 8 and  
4 inserting in lieu thereof the following:

5 "1. By striking all after the resolving clause  
6 and inserting in lieu thereof the following:

7 Section 1. The following amendment to the  
8 Constitution of the State of Iowa is hereby proposed.

9 Section one (1) of Article one (I) of the  
10 Constitution of the State of Iowa is repealed and the  
11 following adopted in lieu thereof:

12 NEW SECTION. RIGHTS OF PERSONS. Section 1. All  
13 men and women are, by nature, free and equal, and have  
14 certain inalienable rights--among which are those of  
15 enjoying and defending life and liberty, acquiring,  
16 possessing and protecting property, and pursuing and  
17 obtaining safety and happiness. Neither the State  
18 nor any of its political subdivisions shall, on the  
19 basis of gender, deny or restrict the equality of  
20 rights under the law.

21 Sec. 2. The foregoing proposed amendment to the  
22 Constitution of the State of Iowa is hereby referred  
23 to the general assembly to be chosen at the next  
24 general election for members of the general assembly,  
25 and the secretary of state is directed to cause the  
26 same to be published for three consecutive months  
27 before the date of said election as provided by law."

28 2. Title, by striking lines 3 and 4 and inserting  
29 in lieu thereof the words "of men and women under the  
30 law shall not be denied or restricted by the state or  
31 by any of its political subdivisions.

H-5185 FILED

JANUARY 31, 1978

*Adopted 1/31 (p. 294)*

BY BRUNOW of Appanoose  
FITZGERALD of Webster  
MILLEN of Van Buren  
CUSACK of Scott  
SHIMANEK of Jones  
AVENSON of Fayette  
DYRLAND of Clayton  
O'HALLORAN of Black Hawk  
ANDERSON of Jasper  
MONROE of Des Moines  
HARGRAVE of Johnson  
KOOGLER of Mahaska  
VARLEY of Adair  
TAUKE of Dubuque  
SMALL of Johnson  
KREWSON of Polk  
BINA of Scott  
CRAWFORD of Story  
MILLER (SERGEANT) of Calhoun  
SCHROEDER of Pottawattamie  
CLARK of Cerro Gordo  
THOMPSON of Polk  
BRANDT of Black Hawk  
GENTLEMAN of Polk  
EVANS of Grundy  
GRIFREE of Chickasaw

WALTER of Pottawattamie  
LIND of Black Hawk  
HOFFMANN of Muscatine  
NORLAND of Worth  
WEST of Marshall  
ARNOULD of Scott  
KRAUSE of Kossuth  
LONERGAN of Boone  
GARRISON of Black Hawk  
MIDDLESWART of Warren  
PAVICH of Pottawattamie  
HORN of Linn  
CONNORS of Polk  
HULLINGER of Decatur  
DAVITT of Warren  
GILLOON of Dubuque  
TOFTE of Winneshiek  
CLARK of Lee  
LAGESCHULTE of Bremer  
EGENES of Story  
HINES of Story  
RINAS of Linn  
JOCHUM of Dubuque  
PATCHETT of Johnson  
PONCY of Wapello

HOUSE JOINT RESOLUTION 12

H-5180

1 Amend the amendment, H-5027, to House Joint Resolu-  
 2 tion 12 as follows:

3 1. Page 1, by striking lines 3 through 8 and in-  
 4 serting in lieu thereof the following:

5 "1. Page 1, by striking lines 3 through 7 and in-  
 6 serting in lieu thereof the following:

7 "Section one (1) of Article one (I) of the Constitu-  
 8 tion of the State of Iowa is repealed and the following  
 9 adopted in lieu thereof:

5182-10 RIGHTS OF PERSONS. Section 1.. All men and women are,  
 11 by nature, free and equal, and have certain inalienable  
 12 rights--among which are those of enjoying and defending  
 13 life and liberty, acquiring, possessing and protecting  
 14 property, and pursuing and obtaining safety and happi-  
 15 ness. Neither the State nor any of its political sub-  
 16 divisions shall, on the basis of gender, deny or restrict  
 5182 5184-17 the equality of rights under the law."  
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5182-18 2. Title, by striking lines 3 and 4 and inserting in  
 19 lieu thereof the words "of men and women under the law  
 20 shall not be denied or restricted by the state or by any  
 21 of its political subdivisions.""

H-5180 FILED	BY BRUNOW of Appanoose	WALTER of Pottawattamie
JANUARY 31, 1978	FITZGERALD of Webster	LIND of Black Hawk
<i>Withdrawn 1/21 (p 290)</i>	MILLEN of Van Buren	HOFFMANN of Muscatine
	CUSACK of Scott	NORLAND of Worth
	SHIMANEK of Jones	WEST of Marshall
	AVENSON of Fayette	ARNOULD of Scott
	DYRLAND of Clayton	KRAUSE of Kossuth
	O'HALLORAN of Black Hawk	LONERGAN of Boone
	ANDERSON of Jasper	GARRISON of Black Hawk
	MONROE of Des Moines	MIDDLESWART of Warren
	HARGRAVE of Johnson	PAVICH of Pottawattamie
	KOOGLER of Mahaska	HORN of Linn
	VARLEY of Adair	CONNORS of Polk
	TAUKE of Dubuque	HULLINGER of Decatur
	SMALL of Johnson	DAVITT of Warren
	KREWSON of Polk	GILLOON of Dubuque
	BINA of Scott	TOFTE of Winneshiek
	CRAWFORD of Story	CLARK of Lee
	MILLER (SERGEANT) of Calhoun	LAGESCHULTE of Bremer
	SCHROEDER of Pottawattamie	EGENES of Story
	CLARK of Cerro Gordo	HINES of Story
	THOMPSON of Polk	RINAS of Linn
	BRANDT of Black Hawk	JOCHUM of Dubuque
	GENTLEMAN of Polk	PATCHETT of Johnson
	EVANS of Grundy	PONCY of Wapello
	GRIFFEE of Chickasaw	

HOUSE JOINT RESOLUTION 12

H-5181

1 Amend House Joint Resolution 12 as follows:

2 1. Page 1, by inserting after line 7 the  
 3 following:

4 "The provisions of this section shall not be  
 5 construed to deny or abridge any rights or privileges  
 6 held by any person prior to the adoption of this Act."

H-5181 FILED  
 JANUARY 31, 1978

BY JUNKER of Woodbury

*Out of order with adoption of 5027*

H-5093

1 Amend House Joint Resolution 12 as follows:  
 2 1. Page 1, line 7, by inserting after the  
 3 period the following: "The provisions of this  
 4 Article shall not be construed to impair any  
 5 rights, benefits, protections, or exemptions now  
 6 or hereafter conferred by law upon persons of the  
 7 female sex."

H-5093 FILED  
 JANUARY 24, 1978

BY JUNKER of Woodbury

HOUSE JOINT RESOLUTION 12

H-5130

1 Amend House Joint Resolution 12, as follows:  
 2 1. Page 1, line 7, by inserting after the  
 3 period the words:  
 4 "This Article shall not impair the validity of  
 5 any law which permits the formation of single sex  
 6 organizations, such as girls' clubs, boys' clubs and  
 7 fraternities."

*Out of order  
 with adoption  
 of 5027*

H-5130 FILED  
 JANUARY 24, 1978

BY CRABB of Crawford

HOUSE JOINT RESOLUTION 12

H-5131

1 Amend House Joint Resolution 12 as follows:  
 2 1. Page 1, line 7, by inserting after the word  
 3 "sex" the following: ", age, race, creed, color,  
 4 national origin, religion, or disability".

H-5131 FILED  
 JANUARY 24, 1978

BY DIELEMAN of Marion  
 CHIODO of Polk  
 HANSEN of O'Brien  
 HOWELL of Floyd

HOUSE JOINT RESOLUTION 12

H-5132

1 Amend House Joint Resolution 12 as follows:  
 2 1. Page 1, line 7, by inserting after the period  
 3 the following: "This Article shall not impair the  
 4 validity, however, of any laws of the state of Iowa  
 5 which secure privacy in public places to men, women,  
 6 boys or girls."

H-5132 FILED  
 JANUARY 24, 1978

BY DAGGETT of Adams

HOUSE JOINT RESOLUTION 12

H-5133

1 Amend House Joint Resolution 12 as follows:  
 2 1. Page 1, by adding the following after the  
 3 period on line 7: "The General Assembly shall not  
 4 by any law take away the rights of any person to have  
 5 this section construed by the Iowa courts. No political  
 6 subdivision and no Iowa administrative agency now  
 7 existing or hereafter created shall have any power to  
 8 enforce this section. Only the Iowa courts shall exer-  
 9 cise judicial power to interpret and apply this section  
 10 by due process of law. Any law of the General Assembly  
 11 which conflicts with the exclusive jurisdiction of the  
 12 Iowa courts over enforcement of this section, is null  
 13 and void."

H-5133 FILED  
 JANUARY 24, 1978

BY DANKER of Pottawattamie

HOUSE JOINT RESOLUTION 12

H-5042

Amend House Joint Resolution 12 as follows:

- 1. Page 1, line 7, by inserting after the period the words "Therefore all present or future laws or regulations of any Iowa administrative agency which authorize any bureaucracy to regulate the employment of any man or of any woman, are null and void."

H-5042 FILED BY DANKER of Pottawattamie  
JANUARY 16, 1978

HOUSE JOINT RESOLUTION 12

H-5043

Amend House Joint Resolution 12 as follows:

- 1. Page 1, line 7, by inserting after the period the words "This section shall not impair the validity of any law of the state which exempts women prisoners from labor on public roads."

H-5043 FILED BY DANKER of Pottawattamie  
JANUARY 16, 1978

HOUSE JOINT RESOLUTION 12

H-5044

Amend House Joint Resolution 12 as follows:

- 1. Page 1, line 7, by inserting after the period the words "This section shall not prohibit single sex athletic programs such as girls' or boys' basketball, baseball, or football teams."

H-5044 FILED BY DANKER of Pottawattamie  
JANUARY 16, 1978

HOUSE JOINT RESOLUTION 12

H-5045

Amend House Joint Resolution 12 as follows:

- 1. Page 1, line 7, by inserting after the period the words "This section shall not be construed to give to the state the power to prohibit sex discrimination within various religious institutions."

H-5045 FILED BY DANKER of Pottawattamie  
JANUARY 16, 1978

HOUSE JOINT RESOLUTION 12

H-5046

Amend House Joint Resolution 12 as follows:

- 1. Page 1, line 7, by inserting after the period the words "This section shall not impair the validity of any laws of the state which make punishable as crimes sexual offenses."

H-5046 FILED BY DANKER of Pottawattamie  
JANUARY 16, 1978

*Order of order  
with adoption  
of 5027*

HOUSE JOINT RESOLUTION 12

H-5047

- 1 Amend House Joint Resolution 12 as follows:
- 2 1. Page 1, line 7, by inserting after the period
- 3 the words "Therefore, the general assembly shall not
- 4 make any law which, through any existing or future
- 5 bureaucracy, empowers the executive department of
- 6 government to remove any male or female child from
- 7 the custody of any parent thereof and take it to
- 8 any government facility for any period of time
- 9 whatsoever."

H-5047 FILED BY DANKER of Pottawattamie  
 JANUARY 16, 1978

HOUSE JOINT RESOLUTION 12

H-5048

- 1 Amend House Joint Resolution 12 as follows:
- 2 1. Page 1, line 7, by inserting after the period
- 3 the words "This section shall not apply to any distinc-
- 4 tions based on sex made by insurance companies."

H-5048 FILED BY DANKER of Pottawattamie  
 JANUARY 16, 1978

HOUSE JOINT RESOLUTION 12

H-5049

- 1 Amend House Joint Resolution 12 as follows:
- 2 1. Page 1, line 14, by inserting after the period
- 3 the following:
- 4 "If the proposed amendment embodied within this
- 5 resolution is approved by the Sixty-seventh General
- 6 Assembly and the Sixty-eighth General Assembly, but is
- 7 not approved by a majority of the electors qualified
- 8 to vote for members of the general assembly as required
- 9 by section one (1) of article ten (X) of the Constitu-
- 10 tion of Iowa, such disapproval shall operate as a
- 11 rescission of the action of the second session of the
- 12 Sixty-fourth General Assembly in approving Senate Joint
- 13 Resolution one thousand eight (1008) which proposed an
- 14 amendment to the Constitution of the United States
- 15 relative to equal rights for men and women."

H-5049 FILED BY MILLER of Buchanan  
 JANUARY 16, 1978 HORN of Linn

*Revised  
 out  
 order  
 by  
 date  
 of 5/27*

HOUSE JOINT RESOLUTION 12

H-5037

- 1 Amend House Joint Resolution 12 as follows:
- 2 1. Page 1, line 7, by inserting after the period
- 3 the words "This section shall not apply to any law pro-
- 4 hibiting sexual activity between persons of the same
- 5 sex or the marriage of persons of the same sex."

H-5037 FILED BY DANKER of Pottawattamie  
JANUARY 16, 1978

HOUSE JOINT RESOLUTION 12

H-5038

- 1 Amend House Joint Resolution 12 as follows:
- 2 1. Page 1, line 7, by inserting after the period
- 3 the words "This section shall not impair the validity
- 4 of any law of the state which protects a woman from
- 5 being forced into prostitution."

H-5038 FILED BY DANKER of Pottawattamie  
JANUARY 16, 1978

HOUSE JOINT RESOLUTION 12

H-5039

- 1 Amend House Joint Resolution 12 as follows:
- 2 1. Page 1, line 7, by inserting after the period
- 3 the words "Therefore all Iowa administrative agencies
- 4 are prohibited from exercising any power under any
- 5 present or future law to decide any domestic dispute
- 6 between any man and woman at their residence or
- 7 anywhere in this State."

H-5039 FILED BY DANKER of Pottawattamie  
JANUARY 16, 1978

HOUSE JOINT RESOLUTION 12

H-5040

- 1 Amend House Joint Resolution 12 as follows:
- 2 1. Page 1, line 7, by inserting after the period
- 3 the words "This section shall not impair the validity
- 4 of any law of the state or rule of any hospital or
- 5 mental institution in the state permitting sex
- 6 segregation in hospitals and ~~men~~ institutions."

H-5040 FILED BY HANSEN of O'Brien  
JANUARY 16, 1978

HOUSE JOINT RESOLUTION 12

H-5041

- 1 Amend House Joint Resolution 12 as follows:
- 2 1. Page 1, line 7, by inserting after the period
- 3 the words "This section shall not impair the validity
- 4 of any law of the state permitting the segregation of
- 5 sexes in prisons and penal institutions."

H-5041 FILED BY DANKER of Pottawattamie  
JANUARY 16, 1978

*Ruled out of  
order with  
adoption of  
5027*

## HOUSE JOINT RESOLUTION 12

H-5032

- 1 Amend House Joint Resolution 12 as follows:  
 2 1. Page 1, line 7, by inserting after the period  
 3 the words "This section shall not impair the validity  
 4 of any law of the state permitting sex segregation  
 5 of restrooms in public places."

H-5032 FILED - *Lost 1/12* BY DANKER of Pottawattamie  
 JANUARY 16, 1978 (*p. 107*)

## HOUSE JOINT RESOLUTION 12

H-5033

- 1 Amend House Joint Resolution 12 as follows:  
 2 1. Page 1, line 7, by inserting after the period  
 3 the words "Therefore no administrative agency of Iowa  
 4 shall have any standing or authority to apply for or  
 5 obtain any order from any Iowa court or judge thereof  
 6 to enter the premises of any residence and arrest or  
 7 remove any man, woman, or child therefrom for any  
 8 cause whatever."

H-5033 FILED BY DANKER of Pottawattamie  
 JANUARY 16, 1978

## HOUSE JOINT RESOLUTION 12

H-5034

- 1 Amend House Joint Resolution 12 as follows:  
 2 1. Page 1, line 7, by inserting after the period  
 3 the words "This section shall not impair the validity  
 4 of any laws of the state which extend protections or  
 5 exemptions to women."

H-5034 FILED BY DANKER of Pottawattamie  
 JANUARY 16, 1978

## HOUSE JOINT RESOLUTION 12

H-5035

- 1 Amend House Joint Resolution 12 as follows:  
 2 1. Page 1, line 7, by inserting after the period  
 3 the words "This section shall not impair the validity  
 4 of any state law which exempts a wife from liability  
 5 for her husband's debts."

H-5035 FILED BY DANKER of Pottawattamie  
 JANUARY 16, 1978

## HOUSE JOINT RESOLUTION 12

H-5036

- 1 Amend House Joint Resolution 12 as follows:  
 2 1. Page 1, line 7, by inserting after the period  
 3 the words "This section shall not impair the validity  
 4 of any law of the state which exempts women from  
 5 compulsory military service."

H-5036 FILED BY DANKER of Pottawattamie  
 JANUARY 16, 1978

*Out of order*

## HOUSE JOINT RESOLUTION 12

H-5027

Amend House Joint Resolution 12, as follows:

1. Page 1, line 7, by inserting after the period the following:

"This article shall not apply to any law prohibiting sexual activity between persons of the same sex or the marriage of persons of the same sex."

H-5027 FILED - *Adopted 1/16* BY BRANSTAD of Winnebago  
 JANUARY 16, 1978 *(p. 106)*

## HOUSE JOINT RESOLUTION 12

H-5028

1 Amend House Joint Resolution 12 as follows:

2 1. Page 1, line 7, by inserting after the  
 3 word "subdivisions" the words "to any person or  
 4 persons".

H-5028 FILED - *Loss 1/16* BY SCHROEDER of Pottawattamie  
 JANUARY 16, 1978 *(p. 105)*

## HOUSE JOINT RESOLUTION 12

H-5029

Amend House Joint Resolution 12 as follows:

1. Page 1, line 7, by striking the word  
 3 "account" and inserting in lieu thereof the words  
 4 "the basis".

H-5029 FILED - *Adopted 1/16* BY TAUKE of Dubuque *1/31 (293)*  
 JANUARY 16, 1978 *(p. 105)*

## HOUSE JOINT RESOLUTION 12

H-5030

1 Amend House Joint Resolution 12 as follows:

2 1. Page 1, line 7, by inserting after the period  
 3 the words "This section shall not impair the validity  
 4 of any law of the state permitting sex segregation in  
 5 hospitals and mental institutions."

H-5030 FILED - *Withdrawn* BY HANSEN of O'Brien  
 JANUARY 16, 1978 *1/16 (106)*

## HOUSE JOINT RESOLUTION 12

H-5031

1 Amend House Joint Resolution 12 as follows:

2 1. Page 1, line 7, by striking the words "on  
 3 account of sex" and inserting in lieu thereof the words  
 "with respect to any individual within the jurisdiction  
 of the state".

H-5031 FILED - *Out of order* BY SPENCER of Clay  
 JANUARY 16, 1978 *with adoption of 5027 1/16 (p. 106)*

HOUSE JOINT RESOLUTION 12

H-5024

- 1 Amend House Joint Resolution 12 as follows:
- 2 1. Page 1, line 7, by striking the words
- 3 "on account of sex" and inserting in lieu thereof
- 4 the words "to any person or persons".

H-5024 FILED, WITHDRAWN BY SCHROEDER of Pottawattamie  
JANUARY 16, 1978 (p. 104)

HOUSE JOINT RESOLUTION 12

H-5025

- 1 Amend House Joint Resolution 12 as follows:
- 2 1. Page 1, by adding the following after
- 3 the period on line 7:
- 4 "The General Assembly may by law interpret
- 5 and construe the provisions of this section.
- 6 To the extent that such statutes are in con-
- 7 formity with the constitution and laws of the
- 8 United States, they shall constitute conclusive
- 9 determinations of the force and effect of this
- 10 section."

H-5025 FILED - Ruled out of BY CONLON of Muscatine  
JANUARY 16, 1978 order with adoption of SB 27

HOUSE JOINT RESOLUTION 12

H-5026

- 1 Amend amendment H-5024, to House Joint
- 2 Resolution 12, as follows:
- 3 1. Page 1, by striking lines 2 through 4
- 4 and inserting in lieu thereof the following:
- 5 "1. Page 1, line 7, by striking the words
- 6 "on account of sex" and inserting in lieu thereof
- 7 the words "with respect to any individual within
- 8 the jurisdiction of the state".

H-5026 FILED, RULED OUT OF ORDER BY SPENCER of Clay  
JANUARY 16, 1978 upon withdrawal of  
5024 (p. 104)

HOUSE JOINT RESOLUTION 12

A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF IOWA TO PROVIDE THAT EQUALITY OF RIGHTS OF MEN AND WOMEN UNDER THE LAW SHALL NOT BE DENIED OR RESTRICTED BY THE STATE OR BY ANY OF ITS POLITICAL SUBDIVISIONS.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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

Section one (1) of Article one (I) of the Constitution of the State of Iowa is repealed and the following adopted in lieu thereof:

NEW SECTION. RIGHTS OF PERSONS. Section 1. All men and women are, by nature, free and equal, and have certain inalienable rights--among which are those of enjoying and defending life and liberty, acquiring, possessing and protecting property, and pursuing and obtaining safety and happiness. Neither the State nor any of its political subdivisions shall, on the basis of gender, deny or restrict the equality of rights under the law.

Sec. 2. It is declared to be the intent of the general assembly in agreeing to the foregoing proposed amendment to the Constitution of the State of Iowa that a classification on the basis of gender shall not be held to deny or restrict equality of rights if it can be established that such classification is necessary to accomplish a compelling state interest.

Sec. 3. The foregoing proposed amendment to the Constitution of the State of Iowa is hereby referred to the general assembly to be chosen at the next general election for members of the general assembly, and the secretary of state is directed to cause the same to be published for three

consecutive months before the date of said election as provided by law.

\_\_\_\_\_  
DALE M. COCHRAN  
Speaker of the House

\_\_\_\_\_  
ARTHUR A. NEU  
President of the Senate

I hereby certify that this resolution originated in the House and is known as House Joint Resolution 12, Sixty-seventh General Assembly.

\_\_\_\_\_  
DAVID L. WRAY  
Chief Clerk of the House