

1981

HOUSE JOINT RESOLUTION 4

STATE GOVERNMENT

By ANDERSON of Jasper
Clements 2/19

Passed House, Date _____ Passed Senate, Date _____

Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____

Approved _____

HOUSE JOINT RESOLUTION

1 A Joint Resolution proposing an amendment to the Constitution
2 of the State of Iowa relating to the power of the people
3 to propose and enact or reject statutes.

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

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HJR 4

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

3 Article III, section 1, Constitution of the State of Iowa,
4 is repealed and the following adopted in lieu thereof:

5 LEGISLATIVE AUTHORITY. SECTION 1.

6 1. The legislative authority of this state is vested in
7 a general assembly which shall consist of a senate and a house
8 of representatives. However, the people reserve to themselves
9 the power to propose statutes by initiative petition and to
10 enact or reject them at the polls.

11 2. An initiative petition shall contain the text of the
12 proposed statute and shall be signed by a number of registered
13 voters equal to ten percent or more of the total vote for
14 the office of governor in the last gubernatorial general
15 election in each county of at least two-thirds of the counties
16 in the state. However, the total number of registered voters
17 signing the petition shall be equal to ten percent or more
18 of the voters who voted for the office of governor in the
19 entire state in the gubernatorial general election.

20 3. The initiative petition shall be filed with the
21 secretary of state not less than thirty days prior to the
22 convening of a regular session of the general assembly. The
23 secretary of state shall transmit the petition to the general
24 assembly as soon as it convenes and organizes. The general
25 assembly shall enact without amendment or reject the statute
26 proposed in the petition within sixty calendar days of receipt
27 of the petition. The general assembly may alter the proposed
28 statute to the extent necessary to conform to the proper style
29 and form for introduction. If the statute is enacted and
30 approved by the governor it becomes law in the same manner
31 as other statutes. If the general assembly rejects or fails
32 to take action on the proposed statute within the time
33 limitation prescribed in this subsection, the secretary of
34 state shall submit the proposal to the voters at the next
35 general election. The general assembly may submit a

1 legislative substitute to the proposed statute to the voters
2 at the same general election. A majority of the votes cast
3 on the measure is necessary for approval and a measure approved
4 is effective the first day of January following its approval.
5 If a legislative substitute is on the ballot, the ballot shall
6 allow the voter to choose between the two measures or to vote
7 against both proposals. A proposal approved by the people
8 is subject to veto by the governor.

9 4. The style of a law enacted by the general assembly
10 shall be: "Be It Enacted by the General Assembly of the State
11 of Iowa". The style of a law submitted to the voters shall
12 be "Be It Enacted by the People of the State of Iowa".

13 5. The general assembly may provide by law for procedures
14 to implement this section.

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

22

EXPLANATION

23 This joint resolution proposes a constitutional amendment
24 giving the people the right to propose and enact legislation.
25 The initiative process incorporated into the legislative
26 article is the "indirect initiative" which means that the
27 initiative proposal must be submitted to the general assembly
28 rather than being placed directly on the ballot without
29 legislative scrutiny.

30 The petition must be signed by a number of registered
31 voters equal to ten percent of the number of votes cast for
32 governor in the last gubernatorial election in two-thirds
33 of the counties. The legislature has 60 calendar days to
34 enact the proposed measure without change, except for style
35 and form or to reject it. If the proposal is rejected or

1 the legislature fails to act, it is placed on the ballot at
2 the next general election. The general assembly may also
3 propose a legislative substitute to appear on the ballot with
4 the initiated measure. A majority vote is required for
5 passage.

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