

SENATE JOINT RESOLUTION 9

State Government
Lura, Chair
Coleman
Dieleman

FILED MAR 8 1983

SENATE JOINT RESOLUTION 9

BY SMALL

Senate Joint Resolution 9

State Government: Lloyd-Jones, Chair; Tofte and Woods.

Senate Joint Resolution 9

State Government: Swartz, Chair; Bianshan, Carpenter, Gruhn and Hoffmann-Bright.

Passed Senate, Date 3-28-83 (j 982) Passed House, Date 3-26-84 (j 1281)

To Board 3/24/84 (983) Vote: Ayes 43 Nays 2 Vote: Ayes 65 Nays 32

Repassed Senate 4-5-84 (1331) Approved _____ *Placed to Rescind (1277) 7/10 4/3*
45-0

A BILL FOR

- 1 A Joint Resolution proposing an amendment to the Constitution
- 2 of the State of Iowa to allow the general assembly to
- 3 specify by law when acts of the general assembly take
- 4 effect.

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

6

HOUSE AMENDMENT TO SENATE JOINT RESOLUTION 9

S-5763

- 1 Amend Senate Joint Resolution 9 as follows:
- 2 1. Page 1, by striking lines 8 and 9 and inserting
- 3 in lieu thereof the words "its passage unless a
- 4 different effective date is stated in an".
- 5 2. Page 1, by striking lines 12 through 19 and
- 6 inserting in lieu thereof the following: "after
- 7 adjournment of the special session unless a different
- 8 effective date is stated in an act of the general
- 9 assembly. The general assembly may establish by law
- 10 a procedure for giving notice of the contents of acts
- 11 of immediate importance which become law."

S-5763 FILED
APRIL 4, 1984

RECEIVED FROM THE HOUSE

Senate concurred 4/5 (j 1230)

SENATE JOINT RESOLUTION 9

H-3869

- 1 Amend Senate Joint Resolution 9 as follows:
- 2 1. Page 1, by striking lines 8 and 9 and inserting
- 3 in lieu thereof the words "its passage unless a
- 4 different effective date is stated in an".
- 5 2. Page 1, by striking lines 12 through 19 and
- 6 inserting in lieu thereof the following: "after
- 7 adjournment of the special session unless a different
- 8 effective date is stated in an act of the general
- 9 assembly. The general assembly may establish by law
- 10 a procedure for giving notice of the contents of acts
- 11 of immediate importance which become law."

H-3869 FILED APRIL 27, 1983

BY DODERER of Johnson

Adopted 3/26/84 (j 1280)

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

3 Section 26 of Article III of the Constitution of the State
4 of Iowa, as amended by the Amendment of 1966, is repealed
5 and the following adopted in lieu thereof:

6 "An act of the general assembly passed at a regular session
7 of a general assembly shall take effect on July 1 following
8 its passage by the general assembly and approval by the
9 governor unless a different effective date is stated in an
10 act of the general assembly. An act passed at a special
11 session of a general assembly shall take effect ninety days
12 after adjournment of the special session of the general
13 assembly unless a different effective date is stated in an
14 act of the general assembly. The general assembly shall
15 establish by law a procedure for giving notice of the contents
16 of acts which will become law before July 1 following
17 adjournment of a regular session of a general assembly or
18 before ninety days following adjournment of a special session
19 of the general assembly."

20 Sec. 2. The foregoing amendment to the Constitution of
21 the State of Iowa is referred to the general assembly to be
22 chosen at the next general election for members of the general
23 assembly and the secretary of state is directed to cause the
24 same to be published for three consecutive months previous
25 to the date of that election as provided by law.

26 EXPLANATION

27 The constitution presently provides that if the general
28 assembly deems any law of immediate importance, it may provide
29 that the law may take effect by publication. Laws passed
30 at special sessions of the general assembly presently take
31 effect ninety days after adjournment of the special session.
32 This proposed amendment provides that the general assembly
33 may state the effective date of an Act within an Act if it
34 is to take effect before July 1 following its passage and
35 approval by the governor or before ninety days following the

1 adjournment of a special session. The effective date could
2 be contained in an Act other than the Act which is to take
3 effect.

4 Chapter 3 provides by law for the effective dates of
5 legislation in carrying out the provisions of section 26 of
6 Article III of the constitution. Specifically section 3.7
7 restates this provision of the constitution and attempts to
8 clarify the case where a bill is passed before July 1 by the
9 general assembly but not signed by the governor until after
10 July 1. It specifies that the Act becomes effective August
11 15, except for appropriation Acts, those which specify when
12 they take effect, or Acts which take effect by publication.
13 Other provisions of chapter 3 also relate to effective dates.
14 If the proposed amendment were approved, chapter 3 would have
15 to be written to effect the constitutional amendment. If,
16 under the proposed amendment, a bill might be one that would
17 be passed by the general assembly before July 1 but signed
18 by the governor after that date, the general assembly would
19 have to provide when the Act should take effect or else it
20 would not take effect until the following July 1.

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same to be published for three consecutive months previous to the date of that election as provided by law.

SENATE JOINT RESOLUTION 9

A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF IOWA TO ALLOW THE GENERAL ASSEMBLY TO SPECIFY BY LAW WHEN ACTS OF THE GENERAL ASSEMBLY TAKE EFFECT.

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 proposed:

Section 26 of Article III of the Constitution of the State of Iowa, as amended by the Amendment of 1966, is repealed and the following adopted in lieu thereof:

"An act of the general assembly passed at a regular session of a general assembly shall take effect on July 1 following its passage unless a different effective date is stated in an act of the general assembly. An act passed at a special session of a general assembly shall take effect ninety days after adjournment of the special session unless a different effective date is stated in an act of the general assembly. The general assembly may establish by law a procedure for giving notice of the contents of acts of immediate importance which become law."

Sec. 2. The foregoing amendment to the Constitution of the State of Iowa is 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

ROBERT T. ANDERSON
President of the Senate

DONALD D. AVENSON
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate Joint Resolution 9, Seventieth General Assembly.

K. MARIE THAYER
Secretary of the Senate