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SENATE JOINT RESOLUTION 9
BY COLEMAN and TAYLOR

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

SENATE JOINT RESOLUTION

1 A Joint Resolution proposing an amendment to the Constitution of
2 the State of Iowa relating to the power of the people to
3 propose and enact or reject statutes by initiative petition
4 and to reject acts of the General Assembly by referendum.

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

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SR 9

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

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4 Constitution of the State of Iowa is repealed and the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

6 LEGISLATIVE AUTHORITY. SECTION 1.

7 1. The Legislative authority of this state is vested in a
8 General Assembly which shall consist of a Senate and a House
9 of Representatives. However, the people reserve to themselves
10 both the power to propose statutes by initiative petition and
11 to enact or reject them at the polls, and the power to approve
12 or reject at the polls any act or a portion of any act of the
13 General Assembly except acts necessary for the immediate
14 preservation of the public peace, health, or safety and acts
15 relating to appropriations of money.

16 2. An initiative petition shall be submitted as required
17 by subsection 3, and a referendum petition shall be submitted
18 as required by subsection 4. Each initiative petition or
19 referendum petition shall be signed by a number of registered
20 voters equal to five percent or more of the total vote for the
21 office of Governor in the last gubernatorial general election
22 in each county of at least two-thirds of the counties in the
23 state. However, the total number of registered voters signing
24 the petition shall be equal to five percent or more of the
25 voters who voted for the office of Governor in the entire
26 state in the last gubernatorial general election.

27 3. An initiative petition shall be filed with the Sec-
28 retary of State not less than thirty days prior to the
29 convening of a regular session of the General Assembly. The
30 Secretary of State shall transmit the petition to the General
31 Assembly as soon as it convenes and organizes. The General
32 Assembly shall enact, without amendment, or reject the statute
33 proposed in the petition within ninety calendar days of
34 receipt of the petition. The General Assembly may alter the
35 proposed statute to the extent necessary to conform to the

1 proper style and form for introduction. If the proposed
2 statute is enacted and approved by the Governor it becomes law
3 in the same manner as other statutes. If the proposed statute
4 is not enacted within the prescribed time limitation, the
5 Secretary of State shall submit the proposal to the voters at
6 the next general election. The General Assembly may submit a
7 Legislative substitute for the proposed statute to the voters
8 at the same general election. A majority of the votes cast on
9 the measure is necessary for approval and a measure approved
10 is effective January first following its approval. If a
11 Legislative substitute is on the ballot, the ballot shall
12 allow the voter to choose between the two measures or to vote
13 against both proposals. A proposal approved by the people is
14 subject to veto by the Governor.

15 4. A referendum petition shall be filed with the Secretary
16 of State not later than ninety days after the final
17 adjournment of the session of the General Assembly that passed
18 the bill on which the referendum is demanded. The filing of a
19 referendum petition against an act or portion of an act does
20 not prevent the act from becoming effective or suspend the
21 operation of the act until the question is decided by the
22 voters at the polls.

23 5. All elections on measures referred to or initiated by
24 the people shall be held at the regular biennial general
25 election. A simple majority of the votes cast on an act or
26 measure is necessary to enact an initiated measure or reject a
27 referred act. An initiated measure approved by the people is
28 effective January first following its approval. An act
29 rejected is repealed immediately upon certification of the
30 election results by the Secretary of State.

31 6. The style of an act enacted by the General Assembly
32 shall be: "Be It Enacted by the General Assembly of the State
33 of Iowa". The style of an act submitted to the voters by an
34 initiative petition shall be "Be it Enacted by the People of
35 the State of Iowa".

1 7. The General Assembly may provide by law for procedures
2 to implement this section.

3 Sec. 2. The foregoing proposed amendment to the
4 Constitution of the State of Iowa is referred to the General
5 Assembly to be chosen at the next general election for members
6 of the General Assembly and the Secretary of State is directed
7 to cause the proposed amendment to be published for three
8 consecutive months before the date of that election as
9 provided by law.

10 EXPLANATION

11 This Joint Resolution proposes an amendment to the
12 Constitution of the State of Iowa granting the people the
13 power to initiate laws by petition and to approve or reject
14 them at the polls and the power to refer acts passed by the
15 General Assembly to a popular vote. Both initiative and
16 referendum petitions must contain a specified number of
17 signatures.

18 The initiative process incorporated into the Legislative
19 article is the "indirect initiative" which means that the
20 initiative proposal must be submitted to the General Assembly
21 rather than being placed directly on the ballot without
22 legislative scrutiny. The Legislature has 90 calendar days to
23 enact the proposed measure without change, except for style
24 and form, or to reject it. If the proposal is rejected or the
25 Legislature fails to act, it is placed on the ballot at the
26 next general election. The General Assembly may also propose
27 a legislative substitute to appear on the ballot with the
28 initiated measure. A majority vote is required for passage.

29 Any act passed by the General Assembly except
30 appropriations acts and emergency measures may be affirmed or
31 rejected by the people upon the filing of a referendum
32 petition with the Secretary of State. A signature requirement
33 is mandated. The filing of a referendum petition does not
34 suspend the effectiveness of an act until the question is
35 decided by the voters.

1 Elections on initiated and referred measures are to be held
2 at the regular biennial general election.

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