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Passed on File

Governmental Affairs 3/28, Pass 3/28

By VAN NOSTRAND, MOWRY,
HARBOR and GANNON

Passed House, Date 3-22-67

Passed Senate, Date 3-28-67

Vote: Ayes 110 Nays 7

Vote: Ayes 60 Nays 1

Approved _____

HOUSE JOINT RESOLUTION

A Joint Resolution to establish a commission to conduct a study of legislative subdistricting and to make recommendations to the general assembly.

WHEREAS, the Supreme Court of the state of Iowa issued a mandate that the one (1) man, one (1) vote principle shall be maintained in the General Assembly; and

WHEREAS, it is deemed expedient that the General Assembly comply with dispatch and provide for the selection of its members from single-member subdistricts within any county wherein more than one (1) senator is elected or any county or district wherein more than one (1) representative is elected; and

WHEREAS, the subdistricting shall permit no voter to vote for more than one (1) senator and more than one (1) representative; and

WHEREAS, to expedite the subdistricting and to allow the General Assembly to devote its time to other matters; NOW THEREFORE

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

- 1 Section 1. A commission of ten (10) members is hereby cre-
- 2 ated within ten (10) days after the effective date of this Act.
- 3 Five (5) members shall be appointed by the state chairman of
- 4 the political party whose candidate for the office of governor
- 5 received the largest number of votes cast for that office in
- 6 the last general election. Five (5) members shall be appointed
- 7 by the state chairman of the political party whose candidate
- 8 received the next largest number of votes cast for that office
- 9 in the last general election. If either state chairman fails
- 10 to comply with the provisions of this section, the chief

11 justice of the supreme court shall immediately make the
12 appointments on behalf of the chairman. Any vacancy by death
13 or resignation of a commissioner shall be filled in the same
14 manner as the original appointment.

1 Sec. 2. The commission shall organize and choose a chairman
2 from its membership and adopt rules for the conduct of its pro-
3 ceedings. Commission members may hold public hearings, consult
4 with representatives of minority political groups, and employ
5 staff and retain expert technical assistants. The commission
6 shall have access to all public records and shall be given the
7 full cooperation of all public officials. The commission shall
8 have the power of subpoena. Commissioners shall receive forty
9 (40) dollars per diem and shall be reimbursed for actual and
10 necessary expenses incurred in the performance of their duties.

1 Sec. 3. The commission shall, no later than May 1, 1967,
2 file in the office of the secretary of state an apportionment
3 plan which shall provide for the subdistricting of counties
4 from which more than one (1) senator is elected under chapter
5 forty-one (41) of the Code and of counties or districts from
6 which more than one (1) representative is elected under chapter
7 forty-one (41) of the Code into single-member subdistricts.
8 The plan shall be based on the present size of the senate and
9 the house of representatives and shall preserve current terms
10 of all members of the general assembly. Subdistricts in the
11 plan shall be designated so that no more than one (1) senator
12 shall be elected from any one (1) senatorial subdistrict and
13 no more than one (1) representative elected from any one (1)
14 representative subdistrict. County lines shall not be crossed
15 in forming single-member legislative subdistricts except in the
16 Louisa-Muscatine representative district. Subdistricts shall be
17 so established to comply with the one (1) man, one (1) vote
18 decision of the supreme court of the state of Iowa. No plan
19 shall be valid unless signed by at least seven (7) members of
20 the commission.

1 Sec. 4. The general assembly shall consider the plan sub-

2 mitted and, no later than June 1, 1967, shall by statute either
3 adopt the plan as submitted or modified, or adopt a plan of its
4 own. Any plan adopted shall be filed and validly signed and
5 shall be applicable only for the 1968 general election and any
6 special election to fill any vacancy in the sixty-third general
7 assembly.

1 Sec. 5. If the general assembly fails to adopt an apportion-
2 ment plan as required under this Act, the supreme court of the
3 state of Iowa shall adopt or cause to be adopted a plan con-
4 forming to the requirements of this Act no later than January 1,
5 1968. Any plan adopted or caused to be adopted by the court
6 shall be temporary and shall apply only for the 1968 general
7 election and any special election necessary to fill any vacancy
8 in the sixty-third general assembly. Upon application of any
9 qualified elector, the supreme court of the state of Iowa shall
10 review any apportionment plan enacted into law.

1 Sec. 6. This Act being deemed of immediate importance shall
2 be in full force and effect from and after its passage and pub-
3 lication in the Council Bluffs Nonpareil, a newspaper pub-
4 lished at Council Bluffs, Iowa, and in the Marshalltown Times-
5 Republican, a newspaper published at Marshalltown, Iowa.

EXPLANATION

This resolution establishes a ten-member commission to appor-
tion the multi-member legislative districts in both the Iowa
Senate and House of Representatives into single-member subdistricts.
The commission is required to submit an apportionment plan for
subdistricting prior to May 1, 1967. The General Assembly is re-
quired to consider the plan and subdistrict the multi-member
districts into single-member subdistricts prior to June 1, 1967.
If the General Assembly fails to comply with the directive, the
Supreme Court of the state of Iowa is charged with the respon-
sibility of the subdistricting and must complete the subdistrict-
ing prior to January 1, 1968. The Iowa Supreme Court upon
application of any qualified elector shall review any appor-
tionment plan enacted into law.