

January 23, 1970

SENATE JOINT RESOLUTION 1002

Passed on File

As Const. Amend. Reportin. 3/4 By COMMITTEE ON JUDICIARY

Passed Senate, Date.....*3-6-70*..... Passed House, Date*4-7-70*.....

Vote: Ayes*58*..... Nays*0*..... Vote: Ayes*107*..... Nays*0*.....

Approved

SENATE JOINT RESOLUTION

1 A Joint Resolution proposing an amendment to the Constitution
2 of the State of Iowa relating to judges of the district
3 court and supreme court.

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

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

7 Article five (V), Constitution of the State of Iowa,
8 is hereby amended by adding thereto the following new section:

9 "In addition to the legislative power of impeachment of
10 judges as set forth in Article three (III), sections nineteen
11 (19) and twenty (20) of the Constitution, the Supreme Court
12 shall have power to retire judges for disability and to
13 discipline or remove them for good cause, upon application
14 by a commission on judicial qualifications. The General
15 Assembly shall provide by law for the implementation of this
16 section."

17 Sec. 2. The foregoing proposed amendment to the Constitu-
18 tion of the State of Iowa is hereby referred to the General
19 Assembly to be chosen at the next general election for members
20 of the General Assembly and the Secretary of State is directed
21 to cause the same to be published for three consecutive months
22 previous to the date of said election as provided by law.

EXPLANATION

This resolution will amend the Constitution of the State of Iowa to permit the Supreme Court to retire judges for disability and to discipline or remove them for good cause.

1 Amend Senate Joint Resolution 1002 by striking all after the re-
solving clause

2 and inserting in lieu thereof the following:

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

5 1. Section Fifteen (15) of Article (V), Constitution
6 of the State of Iowa, as adopted in the amendment of 1962, is
7 hereby repealed and the following proposed in lieu thereof:
8 'Vacancies in the Supreme Court and District Court shall
9 be filled by appointment by the Governor with approval by the
10 Senate.'

11 2. Section Sixteen (16) of Article Five (V), Constitution
12 of the State of Iowa, as adopted in the amendment of 1962, is
13 hereby repealed.

14 3. Section Seventeen (17) of Article Five (V), Constitution
15 of the State of Iowa, as adopted in the amendment of 1962, is
16 hereby amended by inserting in line seven (7) after the word
17 'appointment' the words 'and confirmation by the senate'.

18 Sec. 2. The foregoing proposed amendment to the Constitu-
19 tion of the State of Iowa is hereby referred to the General Assembly
20 to be chosen at the next general election for members of the
21 General Assembly and the secretary of state is directed to cause
22 the same to be published for three consecutive months
23 previous to the date of said election as provided by law."

Filed

April 6, 1970

GANNON of Jasper