

MAR 11 1971

HOUSE FILE 429

*Place On Calendar
See State Book. 3/29, Pass 4/13*

By COMMITTEE ON CONSTITUTIONAL AMENDMENTS AND REAPPORTIONMENT

Passed House, Date 3-29-71 Passed Senate, Date 4-27-71
Vote: Ayes 91 Nays 0 Vote: Ayes 39 Nays 5
Approved 5-5-71

A BILL FOR

1 An Act relating to preparation of ballots and voting machines
2 for constitutional questions, amendments and public measures.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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1 Section 1. Section forty-nine point forty-three (49.43),
2 Code 1971, is amended by adding the following new paragraph:

3 "Following the question, if it be for a constitutional
4 amendment, shall be a summary of the amendment worded by the
5 secretary of state. The summary shall be used in each county
6 and shall be worded the same as the secretary of state has
7 provided for any other means of voting on the same amendment."

8 Sec. 2. Section forty-nine point forty-five (49.45), Code
9 1971, is amended as follows:

10 49.45 GENERAL FORM OF BALLOT. Ballots referred to in
11 sections 49.43 and 49.44 shall be substantially in the
12 following form:

13 "Shall the following amendment to the Yes _____
14 constitution (or public measure) be adopted?" No _____

15 (Here insert the summary, if it be for a constitutional
16 amendment, and in full the proposed constitutional amendment
17 or public measure.)

18 Sec. 3. Section fifty-two point twenty-four (52.24), Code
19 1971, is amended as follows:

20 52.24 All of the provisions of the election law now in
21 force and not inconsistent with the provisions of this chapter
22 shall apply with full force to all counties, cities, and towns
23 adopting the use of voting machines. Nothing in this chapter
24 shall be construed as prohibiting the use of a separate ballot
25 for public measures, ~~provided, however, that separate ballots~~
26 ~~shall be used for the submission to the people of the question~~
27 ~~of a constitutional convention or amendments or contracting~~
28 ~~state debts.~~

29 Sec. 4. Section forty-nine point forty-eight (49.48),
30 Code 1971, is repealed.

31 Sec. 5. Section fifty-two point twenty-five (52.25), Code
32 1971, is amended as follows:

33 52.25 SUMMARY OF AMENDMENT OR PUBLIC MEASURE. ~~Constitu-~~
34 ~~tional~~ The question of a constitutional convention, amend-
35 ments and public measures including bond issues may be voted

1 on the voting machines in the following manner:

2 The entire convention question, amendment or public measure
 3 shall be printed and displayed prominently in at least two
 4 places within the voting precinct and on the left-hand side
 5 inside the curtain of each voting machine, said printing to
 6 be in conformity with the provisions of chapter 49. The
 7 ~~amendment-or~~ public measure shall be summarized by the auditor
 8 or city clerk and in the largest type possible printed on
 9 the inserts used in said voting machines. ~~---in~~, except in the
 10 case of the question of a constitutional convention, an
 11 amendment or measure to be voted ~~upon~~ on in more than one
 12 county, the summary to be placed in the voting machine inserts
 13 shall be worded by the secretary of state and said summary
 14 shall be used in each county.

15 Any portion of sections 49.43~~7~~-49.44~~7~~-49.45~~7~~-49.46~~7~~-49.47~~7~~
 16 or to 49.48, inclusive, in conflict herewith is hereby declared
 17 inapplicable to those counties which have adopted voting
 18 machines and follow the procedure of this section.

19 EXPLANATION

20 When constitutional amendments are submitted to a vote
 21 of the electors there is no provision for a summary to be
 22 printed on the ballot. As a consequence, in many of such
 23 proposals it is impossible for the voter to ascertain the
 24 import of the proposed amendment.

25 This bill will clarify the amending procedure.

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