

State Government: Shimanek. Chair: Lageschulte and Halvorson of Webster.

JAN 17 1979

HOUSE JOINT RESOLUTION 5

STATE GOVERNMENT

Do Pass 1/18 (p 235)

By KREWSON, JOCHUM, SHIMANEK,
BRANDT, BINA, THOMPSON,
LLOYD-JONES, LARSEN, CRAWFORD,
EGENES, WALTER, CUSACK,
JOHNSON of Linn, HOFFMANN,
KIRKENSLAGER, EVANS, HOWELL,
HALVORSON of Clayton,
POFFENBERGER, HIBBS, CLARK
of Cerro Gordo, MCKEAN, PELTON,
DAVITT, MULLINS, COCHRAN, POPE,
SHERZAN, HANSON of Delaware,
HALVORSON of Webster, BYERLY,
PAVICH, CONNORS, GETTINGS,
SHULL, LIND, OXLEY, HORN,
GROTH, O'KANE, DIEMER,
BRUNER, TOFTE, LONERGAN,
SPEAR, RAPP, ANDERSON of Jasper,
HUMMEL, CONNOLLY, NORLAND and
CLARK of Lee

Passed House, Date 1-24-79 (p 337) Passed Senate, Date 2-6-79 (p 350)

Vote: Ayes 83 Nays 15 Vote: Ayes 44 Nays 5

Approved _____

HOUSE JOINT RESOLUTION

1 A Joint Resolution proposing an amendment to the Constitution
2 of the state of Iowa to provide that equality of rights of
3 men and women under the law shall not be denied or re-
4 stricted by the state or by any of its political subdivisions.
5 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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1 Section 1. The following amendment to the Constitution
2 of the State of Iowa is hereby proposed.

3 Section one (1) of Article one (I) of the Constitution of
4 the State of Iowa is repealed and the following adopted in
5 lieu thereof:

S-3022-
S-3024
S-3025
S-3026

6 NEW SECTION. RIGHTS OF PERSONS. Section 1. All men and
7 women are, by nature, free and equal, and have certain in-
8 alienable rights--among which are those of enjoying and de-
9 fending life and liberty, acquiring, possessing and protecting
10 property, and pursuing and obtaining safety and happiness.

11 Neither the State nor any of its political subdivisions shall,
12 on the basis of gender, deny or restrict the equality of rights
13 under the law.

S-3021

14 Sec. 2. It is declared to be the intent of the general
15 assembly in agreeing to the foregoing proposed amendment to
16 the Constitution of the State of Iowa that a classification
17 on the basis of gender shall not be held to deny or restrict
18 equality of rights if it can be established that such clas-
19 sification is necessary to accomplish a compelling state in-
20 terest.

21 Sec. 3. The foregoing proposed amendment, having been
22 adopted and agreed to by the Sixty-seventh General Assembly,
23 thereafter duly published, and now adopted and agreed to by
24 the Sixty-eighth General Assembly, in this Joint Resolution,
25 shall be submitted to the people of the State of Iowa at the
26 general election in November of the year nineteen hundred
27 eighty (1980) in the manner required by the Constitution of
28 the State of Iowa and the laws of the State of Iowa.

29 EXPLANATION

30 This joint resolution adds an equal rights amendment to
31 the Constitution of the State of Iowa.

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HOUSE JOINT RESOLUTION 5

S-3034

- 1 Amend House Joint Resolution 5 as passed by the
- 2 House as follows:
- 3 1. Page 1, lines 6 and 7 by striking the words
- 4 "men and women" and inserting in lieu thereof the words
- 5 "men, women and children".

S-3034 FILED & LOST (p. 348)
FEBRUARY 6, 1979

BY RAY TAYLOR

HOUSE JOINT RESOLUTION 5

S-3035

- 1 Amend House Joint Resolution 5 as passed by the
- 2 House as follows:
- 3 1. Page 1, line 6 by striking the words "men and
- 4 women" and inserting in lieu thereof the words "males
- 5 and females".
- 6 2. Title, line 3 by striking the words "men and
- 7 women" and inserting in lieu thereof the words "males
- 8 and females".

S-3035 FILED & WITHDRAWN (p. 348)
FEBRUARY 6, 1979

BY RICHARD L. COMITO

HOUSE JOINT RESOLUTION 5

S-3036

- 1 Amend House Joint Resolution 5 as passed by the
- 2 House as follows:
- 3 1. Page 1, lines 6 and 7 by striking the words
- 4 "men and women" and inserting in lieu thereof the
- 5 words "males and females"
- 6 2. Title, line 3 by striking the words "men and
- 7 women" and inserting in lieu thereof the words "males
- 8 and females".

S-3036 FILED & WITHDRAWN (p. 348)
FEBRUARY 6, 1979

BY RICHARD L. COMITO

HOUSE JOINT RESOLUTION 5

S-3021

1 Amend House Joint Resolution 5 as passed by
2 the House as follows:
3 1. Page 1, line 13, by inserting after the
4 period the following: "The provisions of this
5 Article shall not be construed to impair any rights,
6 benefits, protections, or exemptions now or
7 hereafter conferred by law upon persons of the
8 female sex."

S-3021 FILED *Last 2/6 (p. 347)*
FEBRUARY 1, 1979

BY RAY TAYLOR

HOUSE JOINT RESOLUTION 5

S-3022

1 Amend House Joint Resolution 5 as passed by
2 the House as follows:
3 1. Page 1, line 6, by inserting after the
4 word men the words ", women and children".

S-3022 FILED *Withdrawn 2/6 (p. 348)*
FEBRUARY 1, 1979

BY RAY TAYLOR

JANUARY 23, 1979
PAGE FIVE

HOUSE JOINT RESOLUTION 5

H-3145

Amend House Joint Resolution 5 as follows:

1. Page 1, line 13, by inserting after the period the words "This section shall not apply to any law prohibiting sexual activity between persons of the same sex or the marriage of persons of the same sex."

H-3145 FILED *Lost 1/24 (p. 337)*
JANUARY 22, 1979

BY DANKER of Potawattamie
ANDERSON of Audubon

De Groot of Lyon (p. 346)

HOUSE JOINT RESOLUTION 5

H-3146

Amend House Joint Resolution 5 as follows:

1. Page 1, line 13, by inserting after the period the words "This section shall not prohibit single sex athletic programs such as girls' or boys' basketball, baseball or football teams."

H-3146 FILED *Lost 1/24 (p. 335)*
JANUARY 22, 1979

BY DANKER of Pottawattamie
ANDERSON of Audubon

De Groot of Lyon (p. 346)

HOUSE JOINT RESOLUTION 5

H-3147

Amend House Joint Resolution 5 as follows:

1. Page 1, line 13, by inserting after the period the words "This section shall not be construed to permit abortion on demand."

H-3147 FILED *Lost 1/24 (p. 334)*
JANUARY 22, 1979

BY ANDERSON of Audubon
DANKER of Pottawattamie

De Groot of Lyon (p. 333)

HOUSE JOINT RESOLUTION 5

H-3151

Amend House Joint Resolution 5 as follows:

1. Page 1, line 11, by inserting after the word "State" the words "nor any agency of the state,".
2. Amend the title, line 4, by inserting after the word "state" the words ", or an agency of the state,".

H-3151 FILED *Withdrawn 1/24 (p. 333)*
JANUARY 22, 1979

BY CONNORS of Polk

HOUSE JOINT RESOLUTION 5

A JOINT RESOLUTION

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF IOWA TO PROVIDE THAT EQUALITY OF RIGHTS OF MEN AND WOMEN UNDER THE LAW SHALL NOT BE DENIED OR RESTRICTED BY THE STATE OR BY ANY OF ITS POLITICAL SUBDIVISIONS.

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 hereby proposed.

Section one (1) of Article one (1) of the Constitution of the State of Iowa is repealed and the following adopted in lieu thereof:

NEW SECTION. RIGHTS OF PERSONS. Section 1. All men and women are, by nature, free and equal, and have certain inalienable rights--among which are those of enjoying and defending life and liberty, acquiring, possessing and protecting property, and pursuing and obtaining safety and happiness. Neither the State nor any of its political subdivisions shall, on the basis of gender, deny or restrict the equality of rights under the law.

Sec. 2. It is declared to be the intent of the general assembly in agreeing to the foregoing proposed amendment to the Constitution of the State of Iowa that a classification on the basis of gender shall not be held to deny or restrict equality of rights if it can be established that such classification is necessary to accomplish a compelling state interest.

Sec. 3. The foregoing proposed amendment, having been adopted and agreed to by the Sixty-seventh General Assembly, thereafter duly published, and now adopted and agreed to by the Sixty-eighth General Assembly, in this Joint Resolution, shall be submitted to the people of the State of Iowa at the

general election in November of the year nineteen hundred eighty (1980) in the manner required by the Constitution of the State of Iowa and the laws of the State of Iowa.

FLOYD H. MILLEN
Speaker of the House

TERRY E. BRANSTAD
President of the Senate

I hereby certify that this bill originated in the House and is known as House Joint Resolution 5, Sixty-eighth General Assembly.

DAVID L. WRAY
Chief Clerk of the House