

**FEB 9 1995**  
**STATE GOVERNMENT**

HOUSE JOINT RESOLUTION 6  
BY FALLON

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**HOUSE JOINT RESOLUTION**

1 A Joint Resolution proposing an amendment to the Constitution of  
2 the State of Iowa changing the legislative branch of state  
3 government to a nonpartisan unicameral system.

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

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HJR 6

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

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4 the Constitution of the State of Iowa is repealed and the  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

6 GENERAL ASSEMBLY. SECTION 1. The legislative authority of  
7 this state is vested in a General Assembly, and the style of  
8 every law shall be: "Be it enacted by the General Assembly of  
9 the State of Iowa."

10 2. Section 2 of Article III of the Constitution of the  
11 State of Iowa, as amended by amendment number 1 of the  
12 Amendments of 1968, and amendment number 2 of the Amendments  
13 of 1974, to the Constitution of the State of Iowa, is repealed  
14 and the following adopted in lieu thereof:

15 ANNUAL SESSIONS OF GENERAL ASSEMBLY -- SPECIAL SESSIONS.  
16 SEC. 2. The General Assembly shall meet in session on the  
17 second Monday of January of each year. Upon written request  
18 to the presiding officer of the General Assembly by two-thirds  
19 of the members, the General Assembly shall convene in special  
20 session. The Governor of the state may convene the General  
21 Assembly by proclamation in the interim.

22 3. Section 3 of Article III of the Constitution of the  
23 State of Iowa is repealed and the following adopted in lieu  
24 thereof:

25 TERMS. SEC. 3. The members of the General Assembly shall  
26 be chosen for a term of four years, by the qualified electors  
27 of their respective districts, and their terms of office shall  
28 commence on the first day of January next after their election  
29 and continue until their successors are elected and qualified.

30 4. Section 4 of Article III of the Constitution of the  
31 State of Iowa as amended by the Amendment of 1880 and the  
32 Amendment of 1926 to the Constitution of the State of Iowa, is  
33 repealed and the following adopted in lieu thereof:

34 QUALIFICATIONS. SEC. 4. A person shall not be a member of  
35 the General Assembly unless the person has attained the age of

1 twenty-one years, is a citizen of the United States, and has  
2 been an inhabitant of this state one year next preceding the  
3 member's election, and at the time of election has had an  
4 actual residence of sixty days in the county, or district the  
5 member may have been chosen to represent.

6 5. Section 5 of Article III of the Constitution of the  
7 State of Iowa is repealed.

8 6. Section 6 of Article III of the Constitution of the  
9 State of Iowa, as amended by amendment number 3 of the  
10 Amendments of 1968 to the Constitution of the State of Iowa,  
11 is repealed and the following adopted in lieu thereof:

12 NUMBER AND CLASSIFICATION. SEC. 6. The number of members  
13 of the General Assembly shall total not more than one hundred.  
14 Members shall be classified so that as nearly as possible one-  
15 half of the members of the General Assembly shall be elected  
16 every two years.

17 7. Section 7 of Article III of the Constitution of the  
18 State of Iowa is repealed and the following adopted in lieu  
19 thereof:

20 OFFICERS -- ELECTIONS DETERMINED. SEC. 7. The General  
21 Assembly shall choose its own officers, and judge of the  
22 qualification, election, and return of its members. A  
23 contested election shall be determined in such manner as shall  
24 be directed by law.

25 8. Section 8 of Article III of the Constitution of the  
26 State of Iowa is repealed and the following adopted in lieu  
27 thereof:

28 QUORUM. SEC. 8. A majority of the General Assembly shall  
29 constitute a quorum to transact business; but a smaller number  
30 may adjourn from day to day, and may compel the attendance of  
31 absent members in such manner and under such penalties as the  
32 General Assembly may provide.

33 9. Section 9 of Article III of the Constitution of the  
34 State of Iowa is repealed and the following adopted in lieu  
35 thereof:

1 AUTHORITY OF THE GENERAL ASSEMBLY. SEC. 9. The General  
2 Assembly shall sit upon its adjournments, keep and publish a  
3 journal of its proceedings, determine its rules of  
4 proceedings, punish members for disorderly behavior, and, with  
5 the consent of two thirds, expel a member, but not a second  
6 time for the same offense; and has all other powers necessary  
7 for a general assembly of a free and independent state.

8 10. Section 10 of Article III of the Constitution of the  
9 State of Iowa is repealed and the following adopted in lieu  
10 thereof:

11 PROTEST -- RECORD OF VOTE. SEC. 10. Each member of the  
12 General Assembly shall have the liberty to dissent from, or  
13 protest against any act or resolution which the member may  
14 think injurious to the public, or an individual, and have the  
15 reasons for the dissent entered on the journals; and the ayes  
16 and nays of the members, on any question, shall, at the desire  
17 of any two members present, be entered on the journals.

18 11. Section 11 of Article III of the Constitution of the  
19 State of Iowa is repealed and the following adopted in lieu  
20 thereof:

21 PRIVILEGED FROM ARREST. SEC. 11. Members of the General  
22 Assembly, in all cases, except treason, felony, or breach of  
23 the peace, are privileged from arrest during the session of  
24 the General Assembly, and in going to and returning from the  
25 session.

26 12. Section 12 of Article III of the Constitution of the  
27 State of Iowa is repealed and the following adopted in lieu  
28 thereof:

29 VACANCIES. SEC. 12. When vacancies occur in the General  
30 Assembly, the Governor or the person exercising the functions  
31 of Governor, shall issue writs of election to fill the  
32 vacancies.

33 13. Section 13 of Article III of the Constitution of the  
34 State of Iowa is repealed and the following adopted in lieu  
35 thereof:

1 DOORS OPEN. SEC. 13. The doors of the General Assembly  
2 shall be open, except on such occasions, as, in the opinion of  
3 the General Assembly, may require secrecy.

4 14. Section 14 of Article III of the Constitution of the  
5 State of Iowa is repealed.

6 15. Section 15 of Article III of the Constitution of the  
7 State of Iowa is repealed and the following adopted in lieu  
8 thereof:

9 BILLS. SEC. 15. Every bill having passed the General  
10 Assembly, shall be signed by the presiding officer of the  
11 General Assembly.

12 16. Section 16 of Article III of the Constitution of the  
13 state of Iowa, as amended by amendment number 4 of the  
14 Amendments of 1968 to the Constitution of the State of Iowa,  
15 is repealed and the following adopted in lieu thereof:

16 EXECUTIVE APPROVAL -- VETO -- ITEM VETO BY GOVERNOR. SEC.

17 16. Every bill passed by the General Assembly shall, before  
18 it becomes a law, be presented to the Governor who shall  
19 approve and sign it or return it with the Governor's  
20 objections to the General Assembly which shall enter the  
21 objections upon its journal and proceed to reconsider it. If  
22 after reconsideration, the bill again passes the General  
23 Assembly by ayes and nays, by a majority of two-thirds of its  
24 members, it shall become a law, notwithstanding the Governor's  
25 objections. If a bill is not returned within three days after  
26 it has been presented to the Governor, Sunday excepted, the  
27 bill shall be a law in like manner as if the Governor had  
28 signed it, unless the General Assembly, by adjournment,  
29 prevents return of the bill. A bill submitted to the Governor  
30 for approval during the last three days of a session of the  
31 General Assembly, shall be deposited by the Governor in the  
32 office of the Secretary of State, within thirty days after  
33 adjournment, with approval, if approved, and with the  
34 Governor's objections, if disapproved.

35 The Governor may approve appropriations bills in whole or

1 in part, and may disapprove any item of an appropriation bill;  
2 and the part approved shall become a law. Any item of an  
3 appropriation bill disapproved by the Governor shall be  
4 returned, with the Governor's objections, to the General  
5 Assembly, or shall be deposited in the office of the Secretary  
6 of State in the case of an appropriation bill submitted to the  
7 Governor for approval during the last three days of a session  
8 of the General Assembly, and the procedure in each case shall  
9 be the same as provided for other bills. Any such item of an  
10 appropriation bill may be enacted into law notwithstanding the  
11 Governor's objections, in the same manner as provided for  
12 other bills.

13 17. Section 17 of Article III of the Constitution of the  
14 State of Iowa is repealed and the following adopted in lieu  
15 thereof:

16 PASSAGE OF BILLS. SEC. 17. No bill shall be passed unless  
17 by the assent of a majority of all the members elected to the  
18 General Assembly, and the question upon the final passage  
19 shall be taken immediately upon its last reading, and the ayes  
20 and nays entered on the journal.

21 18. Section 19 of Article III of the Constitution of the  
22 State of Iowa is repealed and the following adopted in lieu  
23 thereof:

24 IMPEACHMENT. SEC. 19. The General Assembly has the sole  
25 power of impeachment, and all impeachments shall be tried by  
26 the General Assembly. When sitting for that purpose, the  
27 General Assembly shall be upon oath or affirmation; and no  
28 person shall be convicted without the concurrence of two-  
29 thirds of the members present.

30 19. Section 21 of Article III of the Constitution of the  
31 State of Iowa is repealed and the following adopted in lieu  
32 thereof:

33 MEMBERS NOT APPOINTED TO OFFICE. SEC. 21. A member of the  
34 General Assembly shall not, during the time for which elected,  
35 be appointed to any civil office of profit under this state,

1 which shall have been created, or the emoluments of which  
2 shall have been increased during that term, except such  
3 offices as may be filled by elections by the people.

4 20. Section 23 of Article III of the Constitution of the  
5 State of Iowa is repealed and the following adopted in lieu  
6 thereof:

7 FAILURE TO ACCOUNT. SEC. 23. A person who is a collector  
8 or holder of public monies, shall not have a seat in the  
9 General Assembly, or be eligible to hold any office of trust  
10 or profit in this state, until the person has accounted for  
11 and paid into the treasury all sums for which the person is  
12 liable.

13 21. Section 31 of Article III of the Constitution of the  
14 State of Iowa is repealed and the following adopted in lieu  
15 thereof:

16 EXTRA COMPENSATION -- PAYMENT OF CLAIMS -- APPROPRIATIONS  
17 FOR LOCAL OR PRIVATE PURPOSES. SEC. 31. No extra  
18 compensation shall be made to an officer, public agent, or  
19 contractor, after the service has been rendered, or the  
20 contract entered into; nor shall money be paid on a claim, the  
21 subject matter of which has not been provided for by  
22 preexisting laws, and no public money or property shall be  
23 appropriated for local, or private purposes, unless the  
24 appropriation, compensation, or claim, is allowed by two  
25 thirds of the members elected to the General Assembly.

26 22. Section 32 of Article III of the Constitution of the  
27 State of Iowa is repealed and the following adopted in lieu  
28 thereof:

29 OATH OF MEMBERS. SEC. 32. Members of the General Assembly  
30 shall, before they enter upon the duties of their respective  
31 offices, take and subscribe the following oath or affirmation:  
32 "I do solemnly swear, or affirm, (as the case may be,) that I  
33 will support the Constitution of the United States, and the  
34 Constitution of the State of Iowa, and that I will faithfully  
35 discharge the duties of a member of the General Assembly

1 according to the best of my ability." And members of the  
2 General Assembly are hereby empowered to administer to each  
3 other the oath or affirmation.

4 23. Section 34 of Article III of the Constitution of the  
5 State of Iowa, as amended by amendment number 3 of the  
6 Amendments of 1868, amendment number 2 of the Amendments of  
7 1904, the Amendment of 1928, and amendment number 3 of the  
8 Amendments of 1968 to the Constitution of the State of Iowa is  
9 repealed and the following adopted in lieu thereof:

10 GENERAL ASSEMBLY -- LIMITATION. SEC. 34. The General  
11 Assembly shall be composed of not more than one hundred  
12 members. Members shall be elected on a nonpartisan basis  
13 without regard to political affiliation. Members shall be  
14 elected from districts established by law. Each district so  
15 established shall be of compact and contiguous territory. The  
16 state shall be apportioned into General Assembly districts on  
17 the basis of population. The General Assembly may provide by  
18 law for factors in addition to population, not in conflict  
19 with the Constitution of the United States, which may be  
20 considered in the apportioning of districts. No law so  
21 adopted shall permit the establishment of General Assembly  
22 districts where a majority of the members represent less than  
23 forty percent of the population of the state as shown by the  
24 most recent United States decennial census.

25 24. Section 35 of Article III of the Constitution of the  
26 State of Iowa, as amended by amendment number 4 of the  
27 Amendments of 1868, amendment number 2 of the Amendments of  
28 1904, and amendment number 3 of the Amendments of 1968 to the  
29 Constitution of the State of Iowa is repealed and the  
30 following adopted in lieu thereof:

31 GENERAL ASSEMBLY -- NUMBER AND DISTRICTS. SEC. 35. The  
32 General Assembly shall in each year immediately following the  
33 United States decennial census determine the number of members  
34 to be elected to the General Assembly and establish districts.  
35 The General Assembly shall complete the apportionment prior to



1 September 1 of the year so required. If the apportionment  
2 fails to become law prior to September 15 of such year, the  
3 Supreme Court shall cause the state to be apportioned into  
4 districts to comply with the requirements of the Constitution  
5 prior to December 31 of such year. The reapportioning  
6 authority shall, where necessary in establishing districts,  
7 shorten the term of any member prior to completion of the  
8 term. A member whose term is so terminated shall not be  
9 compensated for the uncompleted part of the term.

10 25. Section 39 of Article III of the Constitution of the  
11 State of Iowa adopted by amendment number 1 of the Amendments  
12 of 1970 to the Constitution of the State of Iowa is repealed  
13 and the following adopted in lieu thereof:

14 GENERAL ASSEMBLY DISTRICTS. SEC. 39. In establishing  
15 General Assembly districts, the state shall be divided into as  
16 many districts as there are members of the General Assembly  
17 and one member shall be elected from each district.

18 26. Section 40 of Article III of the Constitution of the  
19 State of Iowa as adopted by amendment number 1 of the  
20 Amendments of 1984, is repealed and the following adopted in  
21 lieu thereof:

22 NULLIFICATION OF ADMINISTRATIVE RULES. SEC. 40. The  
23 General Assembly may nullify an adopted administrative rule of  
24 a state agency by the passage of a resolution by a majority of  
25 all of the members of the General Assembly.

26 27. Section 3 of Article IV of the Constitution of the  
27 State of Iowa as amended by amendment number 1 of the  
28 Amendments of 1972 and as amended by amendment number 1 of the  
29 Amendments of 1988, to the Constitution of the State of Iowa  
30 is repealed and the following is adopted in lieu thereof:

31 GOVERNOR AND LIEUTENANT GOVERNOR ELECTED JOINTLY -- RETURNS  
32 OF ELECTIONS. SEC. 3. The electors shall designate their  
33 selections for Governor and Lieutenant Governor as if these  
34 two offices were one and the same. The names of nominees for  
35 the Governor and the Lieutenant Governor shall be grouped

1 together in a set on the ballot according to which nominee for  
2 Governor is seeking office with which nominee for Lieutenant  
3 Governor, as prescribed by law. An elector shall cast only  
4 one vote for both a nominee for governor and a nominee for  
5 Lieutenant Governor. The returns of every election for  
6 Governor and Lieutenant Governor shall be sealed and  
7 transmitted to the seat of government of the state, and  
8 directed to the presiding officer of the General Assembly who  
9 shall open and publish them in the presence of the General  
10 Assembly.

11 28. Section 4 of Article IV of the Constitution of the  
12 State of Iowa as amended by amendment number 1 of the  
13 Amendments of 1952 and as amended by amendment number 1 of the  
14 Amendments of 1988, to the Constitution of the State of Iowa  
15 is repealed and the following adopted in lieu thereof:

16 ELECTION BY GENERAL ASSEMBLY IN CASE OF TIE -- SUCCESSION  
17 BY LIEUTENANT GOVERNOR. SEC. 4. The nominees for Governor  
18 and Lieutenant Governor jointly having the highest number of  
19 votes cast for them shall be declared duly elected. If two or  
20 more sets of nominees for Governor and Lieutenant Governor  
21 have an equal and the highest number of votes for the offices  
22 jointly, the general assembly shall by vote proceed, as soon  
23 as is possible, to elect one set of nominees for Governor and  
24 Lieutenant Governor. If, upon the completion by the General  
25 Assembly of the canvass of votes for Governor and Lieutenant  
26 Governor, it appears that the nominee for Governor in the set  
27 of nominees for Governor and Lieutenant Governor receiving the  
28 highest number of votes has since died or resigned, is unable  
29 to qualify, fails to qualify, or is for any other reason  
30 unable to assume the duties of the office of Governor for the  
31 ensuing term, the powers and duties shall devolve to the  
32 nominee for Lieutenant Governor of the same set of nominees  
33 for Governor and Lieutenant Governor, who shall assume the  
34 powers and duties of Governor upon inauguration and until the  
35 disability is removed. If both nominees for Governor and

1 Lieutenant Governor are unable to assume the duties of the  
2 office of Governor, the person next in succession shall act as  
3 Governor.

4 29. Section 11 of Article IV of the Constitution of the  
5 State of Iowa is repealed and the following adopted in lieu  
6 thereof:

7 CONVENING GENERAL ASSEMBLY. SEC. 11. The Governor may, on  
8 extraordinary occasions, convene the General Assembly by  
9 proclamation, and shall state, when assembled, the purpose for  
10 which it has been convened.

11 30. Section 13 of Article IV of the Constitution of the  
12 State of Iowa is repealed.

13 31. Section 19 of Article IV of the Constitution of the  
14 State of Iowa, as amended by amendment number 2 of the  
15 Amendments of 1952 and as amended by amendment number 2 of the  
16 Amendments of 1988, to the Constitution of the State of Iowa,  
17 is repealed and the following adopted in lieu thereof:

18 SUCCESSION TO OFFICE OF GOVERNOR AND LIEUTENANT GOVERNOR.  
19 SEC. 19. If there be a vacancy in the office of the Governor  
20 and the Lieutenant Governor shall by reason of death,  
21 impeachment, resignation, removal from office, or other  
22 disability become incapable of performing the duties  
23 pertaining to the office of Governor, the presiding officer of  
24 the General Assembly shall act as Governor until the vacancy  
25 is filled or the disability removed; and if the presiding  
26 officer of the General Assembly, for any of the above causes,  
27 shall be incapable of performing the duties pertaining to the  
28 office of Governor, the justices of the Supreme Court shall  
29 convene the General Assembly by proclamation and the General  
30 Assembly shall organize by the election of a presiding  
31 officer. The General Assembly shall thereupon immediately  
32 proceed to the election of a Governor and Lieutenant Governor.

33 32. Section 16 of Article V of the Constitution of the  
34 State of Iowa as adopted by the Amendment of 1962 to the  
35 Constitution of the State of Iowa is repealed and the

1 following adopted in lieu thereof:

2 STATE AND DISTRICT NOMINATING COMMISSIONS. SEC. 16. There  
3 shall be a state judicial nominating commission. The  
4 commission shall make nominations to fill vacancies in the  
5 Supreme Court. Unless otherwise provided by law, the state  
6 judicial nominating commission shall be composed and selected  
7 as follows: There shall be not less than three nor more than  
8 eight appointive members, as provided by law, and an equal  
9 number of elective members on the commission, all of whom  
10 shall be electors of the state. The appointive members shall  
11 be appointed by the Governor subject to confirmation by the  
12 General Assembly. The elective members shall be elected by  
13 the resident members of the bar of the state. The judge of  
14 the Supreme Court who is senior in length of service on the  
15 court, other than the Chief Justice, shall also be a member of  
16 the commission and shall be its chairperson.

17 There shall be a district judicial nominating commission in  
18 each judicial district of the state. The commissions shall  
19 make nominations to fill vacancies in the district court  
20 within their respective districts. Unless otherwise provided  
21 by law, district judicial nominating commissions shall be  
22 composed and selected as follows: There shall be not less  
23 than three nor more than six appointive members, as provided  
24 by law, and an equal number of elective members on each  
25 commission, all of whom shall be electors of the district.  
26 The appointive members shall be appointed by the Governor.  
27 The elective members shall be elected by the resident members  
28 of the bar of the district. The district judge of such  
29 district who is senior in length of service shall also be a  
30 member of the commission and shall be its chairperson.

31 Due consideration shall be given to area representation in  
32 the appointment and election of judicial nominating commission  
33 members. Appointive and elective members of judicial  
34 nominating commissions shall serve for six-year terms, shall  
35 be ineligible for a second six-year term on the same

1 commission, shall hold no office of profit of the United  
2 States or of the state during their terms, shall be chosen  
3 without reference to political affiliation, and shall have  
4 such other qualifications as may be prescribed by law. As  
5 near as may be, the terms of one-third of such members shall  
6 expire every two years.

7 33. Section 12 of Article VIII of the Constitution of the  
8 State of Iowa is repealed and the following adopted in lieu  
9 thereof:

10 AMENDMENT OR REPEAL OF LAWS -- EXCLUSIVE PRIVILEGES. SEC.

11 12. Subject to the provisions of this article, the General  
12 Assembly shall have power to amend or repeal all laws for the  
13 organization or creation of corporations, or granting of  
14 special or exclusive privileges or immunities, by a vote of  
15 two thirds of the General Assembly; and no exclusive  
16 privileges, except as in this article provided, shall ever be  
17 granted.

18 34. Section 1 of Article X of the Constitution of the  
19 State of Iowa is repealed and the following adopted in lieu  
20 thereof:

21 HOW PROPOSED -- SUBMISSION. SECTION 1. Any amendment or  
22 amendments to this Constitution may be proposed in the General  
23 Assembly; and if it is agreed to by a majority of the members  
24 elected, the proposed amendment shall be entered on its  
25 journal, with the ayes and nays taken thereon, and referred to  
26 the General Assembly to be chosen at the next general  
27 election, and shall be published, as provided by law, for  
28 three months previous to the time of making that election. If  
29 the succeeding General Assembly agrees to the proposed  
30 amendment or amendments by a majority of all the members  
31 elected, the General Assembly shall submit the proposed  
32 amendment or amendments to the people, in such manner, and at  
33 such time as the General Assembly shall provide. If the  
34 people approve and ratify the amendment or amendments, by a  
35 majority of the electors qualified to vote for members of the

1 General Assembly, voting thereon, the amendment or amendments  
2 shall become a part of the Constitution of this state.

3 35. This amendment shall take effect and be implemented as  
4 follows:

5 The General Assembly shall consist of not more than one  
6 hundred twenty-five members effective for the sessions  
7 beginning on or after the second Monday of January 2003, and  
8 not more than one hundred members effective for the sessions  
9 beginning on or after the second Monday of January 2013. In  
10 implementing this amendment, the General Assembly shall  
11 apportion the state into General Assembly districts to comply  
12 with sections 6 and 34 of Article III of the Constitution of  
13 the State of Iowa. The term of any member may be shortened  
14 where necessary in establishing General Assembly districts  
15 pursuant to Article III, section 35. Any member whose term is  
16 so terminated shall not be compensated for the uncompleted  
17 part of the term.

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

24 EXPLANATION

25 This joint resolution proposes an amendment to the  
26 Constitution of the State of Iowa to create a unicameral,  
27 nonpartisan legislature. The amendment would require that the  
28 general assembly of the year 2003 would consist of no more  
29 than 125 members elected to serve four-year terms. The  
30 amendment would reduce the number of members to no more than  
31 100 in the year 2013.

32 The resolution, if adopted, would be referred to the next  
33 general assembly before being submitted to the electorate for  
34 ratification.

35