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SENATE JOINT RESOLUTION 11
BY HALVORSON

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

SENATE JOINT RESOLUTION

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

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

S.J.R. 11

TLSB 1804SS 76
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S.J.R. 11 H.J.R. _____

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4 the Constitution of the State of Iowa is repealed and the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13 of 1974, to the Constitution of the State of Iowa, is repealed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23 State of Iowa is repealed and the following adopted in lieu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33 repealed and the following adopted in lieu thereof: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 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 Amendments 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 from districts established
13 by law. Each district so established shall be of compact and
14 contiguous territory. The state shall be apportioned into
15 General Assembly districts on the basis of population. The
16 General Assembly may provide by law for factors in addition to
17 population, not in conflict with the Constitution of the
18 United States, which may be considered in the apportioning of
19 districts. No law so adopted shall permit the establishment
20 of General Assembly districts where a majority of the members
21 represent less than forty percent of the population of the
22 state as shown by the most recent United States decennial
23 census.
24 24. Section 35 of Article III of the Constitution of the
25 State of Iowa, as amended by amendment number 4 of the
26 Amendments of 1868, amendment number 2 of the Amendments of
27 1904, and amendment number 3 of the Amendments of 1968 to the
28 Constitution of the State of Iowa is repealed and the
29 following adopted in lieu thereof:
30 GENERAL ASSEMBLY -- NUMBER AND DISTRICTS. Sec. 35. The
31 General Assembly shall in each year immediately following the
32 United States decennial census determine the number of members
33 to be elected to the General Assembly and establish districts.
34 The General Assembly shall complete the apportionment prior to
35 September 1 of the year so required. If the apportionment

1 fails to become law prior to September 15 of such year, the
2 Supreme Court shall cause the state to be apportioned into
3 districts to comply with the requirements of the Constitution
4 prior to December 31 of such year. The reapportioning
5 authority shall, where necessary in establishing districts,
6 shorten the term of any member prior to completion of the
7 term. A member whose term is so terminated shall not be
8 compensated for the uncompleted part of the term.
9 25. Section 39 of Article III of the Constitution of the
10 State of Iowa adopted by amendment number 1 of the Amendments
11 of 1970 to the Constitution of the State of Iowa is repealed
12 and the following adopted in lieu thereof:
13 GENERAL ASSEMBLY DISTRICTS. Sec. 39. In establishing
14 General Assembly districts, the state shall be divided into as
15 many districts as there are members of the General Assembly
16 and one member shall be elected from each district.
17 26. Section 40 of Article III of the Constitution of the
18 State of Iowa as adopted by amendment number 1 of the
19 Amendments of 1984, is repealed and the following adopted in
20 lieu thereof:
21 NULLIFICATION OF ADMINISTRATIVE RULES. Sec. 40. The
22 General Assembly may nullify an adopted administrative rule of
23 a state agency by the passage of a resolution by a majority of
24 all of the members of the General Assembly.
25 27. Section 3 of Article IV of the Constitution of the
26 State of Iowa as amended by amendment number 1 of the
27 Amendments of 1972 and as amended by amendment number 1 of the
28 Amendments of 1988, to the Constitution of the State of Iowa
29 is repealed and the following is adopted in lieu thereof:
30 GOVERNOR AND LIEUTENANT GOVERNOR ELECTED JOINTLY -- RETURNS
31 OF ELECTIONS. Sec. 3. The electors shall designate their
32 selections for Governor and Lieutenant Governor as if these
33 two offices were one and the same. The names of nominees for
34 the Governor and the Lieutenant Governor shall be grouped
35 together in a set on the ballot according to which nominee for

1 Governor is seeking office with which nominee for Lieutenant
2 Governor, as prescribed by law. An elector shall cast only
3 one vote for both a nominee for governor and a nominee for
4 Lieutenant Governor. The returns of every election for
5 Governor and Lieutenant Governor shall be sealed and
6 transmitted to the seat of government of the state, and
7 directed to the presiding officer of the General Assembly who
8 shall open and publish them in the presence of the General
9 Assembly.
10 28. Section 4 of Article IV of the Constitution of the
11 State of Iowa as amended by amendment number 1 of the
12 Amendments of 1952 and as amended by amendment number 1 of the
13 Amendments of 1988, to the Constitution of the State of Iowa
14 is repealed and the following adopted in lieu thereof:
15 ELECTION BY GENERAL ASSEMBLY IN CASE OF TIE -- SUCCESSION
16 BY LIEUTENANT GOVERNOR. Sec. 4. The nominees for Governor
17 and Lieutenant Governor jointly having the highest number of
18 votes cast for them shall be declared duly elected. If two or
19 more sets of nominees for Governor and Lieutenant Governor
20 have an equal and the highest number of votes for the offices
21 jointly, the general assembly shall by vote proceed, as soon
22 as is possible, to elect one set of nominees for Governor and
23 Lieutenant Governor. If, upon the completion by the General
24 Assembly of the canvass of votes for Governor and Lieutenant
25 Governor, it appears that the nominee for Governor in the set
26 of nominees for Governor and Lieutenant Governor receiving the
27 highest number of votes has since died or resigned, is unable
28 to qualify, fails to qualify, or is for any other reason
29 unable to assume the duties of the office of Governor for the
30 ensuing term, the powers and duties shall devolve to the
31 nominee for Lieutenant Governor of the same set of nominees
32 for Governor and Lieutenant Governor, who shall assume the
33 powers and duties of Governor upon inauguration and until the
34 disability is removed. If both nominees for Governor and
35 Lieutenant Governor are unable to assume the duties of the

1 office of Governor, the person next in succession shall act as
2 Governor.
3 29. Section 11 of Article IV of the Constitution of the
4 State of Iowa is repealed and the following adopted in lieu
5 thereof:
6 CONVENING GENERAL ASSEMBLY. Sec. 11. The Governor may, on
7 extraordinary occasions, convene the General Assembly by
8 proclamation, and shall state, when assembled, the purpose for
9 which it has been convened.
10 30. Section 13 of Article IV of the Constitution of the
11 State of Iowa is repealed.
12 31. Section 19 of Article IV of the Constitution of the
13 State of Iowa, as amended by amendment number 2 of the
14 Amendments of 1952 and as amended by amendment number 2 of the
15 Amendments of 1988, to the Constitution of the State of Iowa,
16 is repealed and the following adopted in lieu thereof:
17 SUCCESSION TO OFFICE OF GOVERNOR AND LIEUTENANT GOVERNOR.
18 Sec. 19. If there be a vacancy in the office of the Governor
19 and the Lieutenant Governor shall by reason of death,
20 impeachment, resignation, removal from office, or other
21 disability become incapable of performing the duties
22 pertaining to the office of Governor, the presiding officer of
23 the General Assembly shall act as Governor until the vacancy
24 is filled or the disability removed; and if the presiding
25 officer of the General Assembly, for any of the above causes,
26 shall be incapable of performing the duties pertaining to the
27 office of Governor, the justices of the Supreme Court shall
28 convene the General Assembly by proclamation and the General
29 Assembly shall organize by the election of a presiding
30 officer. The General Assembly shall thereupon immediately
31 proceed to the election of a Governor and Lieutenant Governor.
32 32. Section 16 of Article V of the Constitution of the
33 State of Iowa as adopted by the Amendment of 1962 to the
34 Constitution of the State of Iowa is repealed and the
35 following adopted in lieu thereof:

1 STATE AND DISTRICT NOMINATING COMMISSIONS. Sec. 16. There
2 shall be a state judicial nominating commission. The
3 commission shall make nominations to fill vacancies in the
4 Supreme Court. Unless otherwise provided by law, the state
5 judicial nominating commission shall be composed and selected
6 as follows: There shall be not less than three nor more than
7 eight appointive members, as provided by law, and an equal
8 number of elective members on the commission, all of whom
9 shall be electors of the state. The appointive members shall
10 be appointed by the Governor subject to confirmation by the
11 General Assembly. The elective members shall be elected by
12 the resident members of the bar of the state. The judge of
13 the Supreme Court who is senior in length of service on the
14 court, other than the Chief Justice, shall also be a member of
15 the commission and shall be its chairperson.
16 There shall be a district judicial nominating commission in
17 each judicial district of the state. The commissions shall
18 make nominations to fill vacancies in the district court
19 within their respective districts. Unless otherwise provided
20 by law, district judicial nominating commissions shall be
21 composed and selected as follows: There shall be not less
22 than three nor more than six appointive members, as provided
23 by law, and an equal number of elective members on each
24 commission, all of whom shall be electors of the district.
25 The appointive members shall be appointed by the Governor.
26 The elective members shall be elected by the resident members
27 of the bar of the district. The district judge of such
28 district who is senior in length of service shall also be a
29 member of the commission and shall be its chairperson.
30 Due consideration shall be given to area representation in
31 the appointment and election of judicial nominating commission
32 members. Appointive and elective members of judicial
33 nominating commissions shall serve for six-year terms, shall
34 be ineligible for a second six-year term on the same
35 commission, shall hold no office of profit of the United

1 States or of the state during their terms, shall be chosen
2 without reference to political affiliation, and shall have
3 such other qualifications as may be prescribed by law. As
4 near as may be, the terms of one-third of such members shall
5 expire every two years.
6 33. Section 12 of Article VIII of the Constitution of the
7 State of Iowa is repealed and the following adopted in lieu
8 thereof:
9 AMENDMENT OR REPEAL OF LAWS -- EXCLUSIVE PRIVILEGES. Sec.
10 12. Subject to the provisions of this article, the General
11 Assembly shall have power to amend or repeal all laws for the
12 organization or creation of corporations, or granting of
13 special or exclusive privileges or immunities, by a vote of
14 two thirds of the General Assembly; and no exclusive
15 privileges, except as in this article provided, shall ever be
16 granted.
17 34. Section 1 of Article X of the Constitution of the
18 State of Iowa is repealed and the following adopted in lieu
19 thereof:
20 HOW PROPOSED -- SUBMISSION. Section 1. Any amendment or
21 amendments to this Constitution may be proposed in the General
22 Assembly; and if it is agreed to by a majority of the members
23 elected, the proposed amendment shall be entered on its
24 journal, with the ayes and nays taken thereon, and referred to
25 the General Assembly to be chosen at the next general
26 election, and shall be published, as provided by law, for
27 three months previous to the time of making that election. If
28 the succeeding General Assembly agrees to the proposed
29 amendment or amendments by a majority of all the members
30 elected, the General Assembly shall submit the proposed
31 amendment or amendments to the people, in such manner, and at
32 such time as the General Assembly shall provide. If the
33 people approve and ratify the amendment or amendments, by a
34 majority of the electors qualified to vote for members of the
35 General Assembly, voting thereon, the amendment or amendments

1 shall become a part of the Constitution of this state.
2 35. This amendment shall take effect and be implemented as
3 follows:
4 The General Assembly shall consist of not more than one
5 hundred twenty-five members effective for the session
6 beginning on the second Monday of January 2003, and not more
7 than one hundred members effective for the session beginning
8 on the second Monday of January 2013. In implementing this
9 amendment, the General Assembly shall apportion the state into
10 General Assembly districts to comply with sections 6 and 34 of
11 Article III of the Constitution of the State of Iowa. The
12 term of any member may be shortened where necessary in
13 establishing General Assembly districts pursuant to Article
14 III, section 35. Any member whose term is so terminated shall
15 not be compensated for the uncompleted part of the term.
16 Sec. 2. The foregoing amendment to the Constitution of the
17 State of Iowa is referred to the General Assembly to be chosen
18 at the next general election for members of the General
19 Assembly and the Secretary of State is directed to cause the
20 same to be published for three consecutive months previous to
21 the date of that election as provided by law.
22 EXPLANATION
23 This joint resolution proposes an amendment to the
24 Constitution of the State of Iowa to create a unicameral
25 legislature. The amendment would require that the general
26 assembly of the year 2003 would consist of no more than 125
27 members elected to serve four-year terms. The amendment would
28 reduce the number of members to no more than 100 in the year
29 2013.
30 The resolution, if adopted, would be referred to the next
31 general assembly before being submitted to the electorate for
32 ratification.
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