

FILED FEB 17 1998

STATE GOVERNMENT

SENATE JOINT RESOLUTION 2002

BY HALVORSON

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Approved \_\_\_\_\_

SENATE JOINT RESOLUTION

1 A Joint Resolution proposing an amendment to the Constitution of  
2 the State of Iowa relating to the power of the people to  
3 approve or disapprove certain Acts of the General Assembly by  
4 referendum.

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

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S.S.R. 2002

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

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4 Constitution of the State of Iowa, is repealed and the  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

6 GENERAL ASSEMBLY -- REFERENDUM. Section 1. The  
7 Legislative authority of this State is vested in a General  
8 Assembly which shall consist of a Senate and a House of  
9 Representatives. However, any Act approved by the General  
10 Assembly may provide that the Act is subject to approval or  
11 disapproval by the people at the polls, with no further action  
12 by the General Assembly necessary.

13 An election to approve or disapprove an Act of the General  
14 Assembly shall be held within ninety days of passage of the  
15 Act. An Act shall not take effect pending approval or  
16 disapproval at the polls. When an Act is referred to the  
17 people, the Secretary of State shall cause to be printed on  
18 the official ballot at the election the title and number of  
19 the Act, together with the words "Yes" and "No" in such manner  
20 that the voters may express at the polls their approval or  
21 disapproval of the Act. The text of all Acts to be submitted  
22 shall be published in the same manner as proposed amendments  
23 to the Constitution are published.

24 If two or more conflicting Acts are placed on the same  
25 ballot, the Secretary of State shall include on the ballot a  
26 statement notifying the voters that the Acts are in conflict.

27 The Secretary of State, in the presence of the Governor and  
28 the Chief Justice of the Supreme Court, shall canvass the  
29 votes for and against each Act of the General Assembly within  
30 thirty days after the election, and upon completion of the  
31 canvass shall issue a proclamation, giving the entire number  
32 of votes cast for and against each Act, and declaring those  
33 Acts which were approved and those Acts which were  
34 disapproved. A referred Act is deemed disapproved if a  
35 majority of the votes cast are in favor of disapproving the

1 Act. An Act approved by the people is effective on the  
2 thirtieth day following certification of the election results  
3 by the Secretary of State unless a delayed effective date is  
4 included in the Act.

5 The veto power of the Governor shall not extend to Acts of  
6 the General Assembly subject to approval or disapproval by the  
7 people at the polls.

8 The General Assembly may provide by law for procedures to  
9 implement this section.

10 This section shall not be construed to deprive the General  
11 Assembly of the right to enact any measure.

12 The style of every law shall be: "Be It Enacted by the  
13 General Assembly of the State of Iowa".

14 Sec. 2. The foregoing proposed amendment to the  
15 Constitution of the State of Iowa is referred to the General  
16 Assembly to be chosen at the next general election for members  
17 of the General Assembly and the Secretary of State is directed  
18 to cause the proposed amendment to be published for three  
19 consecutive months before the date of that election as  
20 provided by law.

21 EXPLANATION

22 This joint resolution proposes an amendment to the  
23 Constitution of the State of Iowa granting the people the  
24 power to approve or disapprove certain Acts passed by the  
25 general assembly and referred by the general assembly to a  
26 popular vote.

27 The amendment provides that the power to approve or  
28 disapprove Acts of the general assembly extends only to those  
29 Acts in which the right of the people to approve or disapprove  
30 the Act is specified by the general assembly. The governor's  
31 veto power does not extend to Acts submitted to the voters.

32 Such an Act does not take effect pending its submission to  
33 the voters. An Act approved by the people is effective on the  
34 thirtieth day following certification of the election results  
35 by the secretary of state unless a delayed effective date is

1 included in the Act.

2 The resolution, if adopted, would be referred to the next  
3 general assembly for consideration.

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