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SENATE JOINT RESOLUTION
BY SOUKUP

2002

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

SENATE JOINT RESOLUTION

1 A Joint Resolution proposing amendments to the Constitution of
2 the State of Iowa to change the length of term of office for
3 members of the House of Representatives and the Senate, to
4 limit the years of service for members of the House of
5 Representatives and the Senate, and to limit the terms of
6 service for Governor and Lieutenant Governor.

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

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SJR 2002
STATE GOVERNMENT

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

3 1. Section 3 of Article III of the Constitution of the
4 State of Iowa is repealed and the following adopted in lieu
5 thereof, provided that if both this section and section 2 of
6 this joint resolution are adopted and ratified, the two
7 sections shall not be considered to be irreconcilable but
8 rather shall be reconciled to provide for both four-year terms
9 and a twelve-year limitation on service for members of the
10 house of representatives:

11 REPRESENTATIVES. SEC. 3. The members of the House of
12 Representatives shall be chosen by the qualified electors of
13 their respective districts, and their term of office shall
14 commence on the first day of January next after their
15 election, and continue four years, and until their successors
16 are elected and qualified. Representatives shall be
17 classified so that as nearly as possible one-half of the
18 members of the House of Representatives shall be elected every
19 two years.

20 2. Section 5 of Article III of the Constitution of the
21 State of Iowa is repealed and the following adopted in lieu
22 thereof, provided that if both this section and section 2 of
23 this joint resolution are adopted and ratified, the two
24 sections shall not be considered to be irreconcilable but
25 rather shall be reconciled to provide for both six-year terms
26 and a twelve-year limitation on service for members of the
27 senate:

28 SENATORS -- QUALIFICATIONS. SEC. 5. Senators shall be
29 chosen for a term of six years, at the same time and place as
30 Representatives; they shall be twenty-five years of age, and
31 possess the qualifications of Representatives as to residence
32 and citizenship.

33 3. Section 6 of Article III of the Constitution of the
34 State of Iowa, as amended by amendment number 3 of the
35 Amendments of 1968, is repealed and the following adopted in

1 lieu thereof:

2 SENATORS -- NUMBER AND CLASSIFICATION. SEC. 6. The number
3 of Senators shall total not more than one-half the membership
4 of the House of Representatives. Senators shall be classified
5 so that as nearly as possible, one-third of the members of the
6 Senate shall be elected every two years.

7 4. Section 35 of Article III of the Constitution of the
8 State of Iowa, as amended by amendment number 4 of the
9 Amendments of 1868, amendment number 2 of the Amendments of
10 1904, and amendment number 3 of the Amendments of 1968, is
11 repealed and the following adopted in lieu thereof:

12 SENATORS AND REPRESENTATIVES -- NUMBER AND DISTRICTS. SEC.
13 35. The General Assembly shall in each year immediately
14 following the United States decennial census determine the
15 number of Senators and Representatives to be elected to the
16 General Assembly and establish senatorial and representative
17 districts. The General Assembly shall complete the
18 apportionment prior to September 1 of the year so required.
19 If the apportionment fails to become law prior to September 15
20 of such year, the Supreme Court shall cause the State to be
21 apportioned into senatorial and representative districts to
22 comply with the requirements of the Constitution prior to
23 December 31 of such year. The reapportioning authority shall,
24 where necessary in establishing senatorial and representative
25 districts, shorten the term of any Senator or Representative
26 prior to completion of the term. Any Senator or
27 Representative whose term is so terminated shall not be
28 compensated for the uncompleted part of the term.

29 Sec. 2. The following amendment to the Constitution of the
30 State of Iowa is proposed:

31 1. Section 3 of Article III of the Constitution of the
32 State of Iowa is repealed and the following adopted in lieu
33 thereof, provided that if both this section and section 1 of
34 this joint resolution are adopted and ratified, the two
35 sections shall not be considered to be irreconcilable but

1 rather shall be reconciled to provide for both four-year terms
2 and a twelve-year limitation on service for members of the
3 house of representatives:

4 REPRESENTATIVES. SEC. 3. The members of the House of
5 Representatives shall be chosen, by the qualified electors of
6 their respective districts, and their term of office shall
7 commence on the first day of January next after their
8 election, and continue two years, and until their successors
9 are elected and qualified. A person shall not be elected for
10 a term as Representative if the term would result in more than
11 a total of twelve years of service as a Representative. If a
12 person is elected to serve a portion of a term to which some
13 other person was elected but that person died in office or
14 resigned from office or was otherwise removed from office,
15 those years served shall not be included in the years of
16 service for purposes of this limitation. This limitation on
17 the years of service shall only apply to terms of office
18 beginning on or after January 1, 2003.

19 2. Section 5 of Article III of the Constitution of the
20 State of Iowa is repealed and the following adopted in lieu
21 thereof, provided that if both this section and section 1 of
22 this joint resolution are adopted and ratified, the two
23 sections shall not be considered to be irreconcilable but
24 rather shall be reconciled to provide for both six-year terms
25 and a twelve-year limitation on service for members of the
26 senate:

27 SENATORS -- QUALIFICATIONS. SEC. 5. Senators shall be
28 chosen for a term of four years, at the same time and place as
29 Representatives; they shall be twenty-five years of age, and
30 possess the qualifications of Representatives as to residence
31 and citizenship. A person shall not be elected for a term as
32 Senator if the term would result in more than a total of
33 twelve years of service as a Senator. If a person is elected
34 to serve a portion of a term to which some other person was
35 elected but that person died in office or resigned from office

1 or was otherwise removed from office, those years served shall
2 not be included in the years of service for purposes of this
3 limitation. This limitation on the years of service shall
4 only apply to terms of office beginning on or after January 1,
5 2003.

6 Sec. 3. The following amendment to the Constitution of the
7 State of Iowa is proposed:

8 1. Section 2 of Article IV of the Constitution of the
9 State of Iowa, as amended by amendment number 1 of the
10 Amendments of 1972 and amendment number 1 of the Amendments of
11 1988, is repealed and the following adopted in lieu thereof:

12 ELECTION AND TERM. SEC. 2. The Governor and Lieutenant
13 Governor shall be elected by the qualified electors at the
14 time and place of voting for members of the General Assembly.
15 Each of them shall hold office for four years from the time of
16 installation in office and until a successor is elected and
17 qualifies. A person shall not be elected to the office of
18 Governor more than twice. A person shall not be elected to
19 the office of Lieutenant Governor more than twice. If a
20 person succeeds or is elected or appointed to serve a portion
21 of a term to which some other person was elected or appointed
22 but that person died in office or resigned from office or was
23 otherwise removed from office, that succession or election or
24 appointment to a portion of a term shall not be considered
25 when applying this limitation. This limitation on service
26 shall only apply to terms of office beginning on or after
27 January 1, 2003.

28 Sec. 4. The foregoing amendments to the Constitution of
29 the State of Iowa are referred to the General Assembly to be
30 chosen at the next general election for members of the General
31 Assembly and the Secretary of State is directed to cause the
32 same to be published for three consecutive months previous to
33 the date of that election as provided by law.

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EXPLANATION

35 This joint resolution proposes three amendments to the

1 Constitution of the State of Iowa.

2 The first amendment lengthens the term of office for
3 members of the house of representatives to four years and the
4 senate to six years.

5 The second amendment provides that members of the senate
6 and house of representatives shall not serve more than 12
7 years as a senator or representative. If a person serves a
8 portion of a term to which some other person was elected, the
9 partial term shall not be included in the years of service.
10 The limitation on the years of service shall only apply to
11 terms of office beginning on or after January 1, 2003.

12 The first and second amendments both amend sections 3 and 5
13 of Article III of the Constitution and are each drafted with
14 the proviso that if both amendments are adopted and ratified,
15 they shall not be considered irreconcilable but rather shall
16 be reconciled to provide for both four-year terms and a 12-
17 year limitation on service for members of the house of
18 representatives, and for both six-year terms and a 12-year
19 limitation on service for members of the senate.

20 The third amendment provides that persons elected to the
21 office of governor and lieutenant governor are limited to two
22 terms in the same office. If a person serves a portion of a
23 term to which some other person was elected or appointed, the
24 partial term shall not be included in the limitation. The
25 limitation on service shall only apply to terms of office
26 beginning on or after January 1, 2003.

27 The resolution, if adopted, would be referred to the next
28 general assembly before being submitted to the electorate for
29 ratification.

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