

Senate Joint Resolution 2006 - Introduced

SENATE JOINT RESOLUTION 2006
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SENATE JOINT RESOLUTION

1 A Joint Resolution proposing an amendment to the Constitution
2 of the State of Iowa relating to the appointment of nominees
3 to the supreme court by the governor.
4 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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

3 Section 15 of Article V of the Constitution of the State of
4 Iowa, as added by the Amendment of 1962, is amended to read as
5 follows:

6 **Vacancies in courts.** SEC. 15. Vacancies in the Supreme
7 Court and District Court shall be filled by appointment by the
8 Governor from lists of nominees submitted by the appropriate
9 judicial nominating commission. Three nominees shall be
10 submitted for each Supreme Court vacancy, and two nominees
11 shall be submitted for each District Court vacancy. If the
12 Governor fails for thirty days to make ~~the~~ an appointment
13 from the District Court nominees, ~~it~~ the appointment shall
14 be made from ~~such~~ the nominees by the Chief Justice of the
15 Supreme Court. The Governor may reject all three nominees for
16 a Supreme Court vacancy and the nomination process shall start
17 anew until the Governor appoints a nominee to fill the vacancy.

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

25 EXPLANATION

26 This joint resolution proposes an amendment to the
27 Constitution of the State of Iowa relating to the appointment
28 of nominees to the supreme court by the governor.

29 The resolution provides that the governor may reject
30 all three nominees for a supreme court vacancy by the state
31 judicial nominating commission, in which case, the nomination
32 process shall start anew until the governor appoints a nominee
33 to fill the vacancy.

34 The Constitution currently requires the governor to appoint
35 a nominee from the list of three nominees submitted by the

1 state judicial nominating commission, and if the governor does
2 not make an appointment within 30 days of receiving the list of
3 nominees, the chief justice is required to make the appointment
4 from the list of such nominees.

5 The resolution, if adopted, would be referred to the next
6 General Assembly (Eighty-fourth) for adoption before the
7 amendment is submitted to the electorate for ratification.