

House Joint Resolution 3 - Introduced

HOUSE JOINT RESOLUTION 3
BY HUNTER

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1 A Joint Resolution proposing an amendment to the Constitution
2 of the State of Iowa relating to the boundary lines of
3 counties.

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 1. Section 30 of Article III of the Constitution of the
4 State of Iowa is repealed and the following adopted in lieu
5 thereof:

6 **Local or special laws — general and uniform.** SEC. 30. The
7 general assembly shall not pass local or special laws in the
8 following cases:

9 For the assessment and collection of taxes for state,
10 county, or road purposes;

11 For laying out, opening, and working roads or highways;

12 For changing the names of persons;

13 For the incorporation of cities and towns;

14 For vacating roads, town plats, streets, alleys, or public
15 squares;

16 For locating or changing county seats.

17 In all the cases above enumerated, and in all other cases
18 where a general law can be made applicable, all laws shall be
19 general, and of uniform operation throughout the state.

20 2. Section 2 of Article XI of the Constitution of the State
21 of Iowa is repealed and the following adopted in lieu thereof:

22 **Counties.** SEC. 2. On or before July 1, 2017, the general
23 assembly shall by law reduce the aggregate number of the
24 several counties to not more than fifty unless the aggregate
25 number of counties has otherwise been reduced to not more
26 than fifty prior to July 1, 2017. Such reduction shall be
27 accomplished by the merger, in whole or in part, of presently
28 existing counties. Newly created counties shall be composed of
29 contiguous territory and shall be reasonably compact.

30 The general assembly shall by law name the counties created
31 hereunder and shall by law select the place for the seat of the
32 county government for each newly created county. The general
33 assembly may by law provide such newly created counties with
34 authority to create such offices of county government within a
35 county as a county deems reasonable and necessary.

1 In the event the general assembly fails to reduce the number
2 of counties, select a county seat of government for each newly
3 created county, and name each newly created county as required
4 herein by July 1, 2017, the chief justice of the supreme court
5 shall do so or cause to have the same done.

6 After the reduction in the number of counties has been
7 effectuated as herein required, the number or boundaries of
8 such newly created counties shall not thereafter be changed.

9 The general assembly shall enact all laws necessary to
10 effectuate this section.

11 3. Section 8 of Article XI of the Constitution of the State
12 of Iowa is repealed and the following adopted in lieu thereof:

13 **Seat of government established — state university. SEC.**

14 8. The seat of government is hereby permanently established,
15 as now fixed by law, at the city of Des Moines; and the state
16 university, at Iowa City.

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

24 EXPLANATION

25 This joint resolution proposes an amendment to the
26 Constitution of the State of Iowa relating to the boundary
27 lines of counties. The joint resolution proposes new section
28 2 of Article XI, requiring the general assembly to reduce the
29 aggregate number of counties to not more than 50 by statute on
30 or before July 1, 2017, unless the aggregate number of counties
31 has otherwise been reduced to not more than 50 prior to July
32 1, 2017. The joint resolution allows such reduction to be
33 accomplished by the merger in whole or in part of presently
34 existing counties. Newly created counties, however, must be
35 composed of contiguous territory and be reasonably compact.

1 The joint resolution requires the general assembly to name
2 each new county created and to select the place for the seat of
3 the county government for each new county created. The joint
4 resolution allows the general assembly to authorize the newly
5 created counties to create offices of county government as a
6 county deems reasonable and necessary. The joint resolution
7 requires the general assembly to enact all laws necessary to
8 effectuate new section 2 of Article XI of the Constitution of
9 the State of Iowa.

10 The joint resolution provides that in the event the general
11 assembly fails to reduce the number of counties, select a
12 county seat of government for each newly created county,
13 and name each newly created county as required, the chief
14 justice of the supreme court is required to do so. The joint
15 resolution also provides that after the reduction in the number
16 of counties has been effectuated, the number and boundaries of
17 such newly created counties may not be changed.

18 The joint resolution repeals provisions requiring any law
19 that changes boundary lines of a county to first be approved
20 at a general election by the people of the counties affected
21 by the change.

22 The joint resolution proposes a corresponding amendment to
23 section 8 of Article XI of the Constitution of the State of
24 Iowa, which establishes the city of Des Moines in Polk county
25 as the seat of government and establishes the state university
26 at Iowa City in Johnson county, by removing the references to
27 Polk county and Johnson county.

28 The resolution, if adopted, would be referred to the next
29 general assembly (Eighty-sixth) for adoption before being
30 submitted to the electorate for ratification.