

CHAPTER 1206

HOME RULE FOR COUNTIES

Second time passed

H. J. R. 9

A JOINT RESOLUTION proposing an amendment to the Constitution of the state of Iowa to provide home rule for counties and joint county-municipal corporation governments.

Be It Resolved by the General Assembly of the State of Iowa:

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

Article three (III), legislative department, Constitution of the State of Iowa is hereby amended by adding the following new section:

NEW SECTION. Counties or joint county-municipal corporation governments are granted home rule power and authority, not inconsistent with the laws of the general assembly, to determine their local affairs and government, except that they shall not have power to levy any tax unless expressly authorized by the general assembly. The general assembly may provide for the creation and dissolution of joint county-municipal corporation governments. The general assembly may provide for the establishment of charters in county or joint county-municipal corporation governments.

If the power or authority of a county conflicts with the power and authority of a municipal corporation, the power and authority exercised by a municipal corporation shall prevail within its jurisdiction.

The proposition or rule of law that a county or joint county-municipal corporation government possesses and can exercise only those powers granted in express words is not a part of the law of this state.

Sec. 2. The foregoing proposed amendment, having been adopted and agreed to by the Sixty-sixth General Assembly, thereafter duly published, and now adopted and agreed to by the Sixty-seventh General Assembly, in this Joint Resolution, shall be submitted to the people of the State of Iowa at the general election in November of the year nineteen hundred seventy-eight (1978) in the manner required by the Constitution of the State of Iowa and the laws of the State of Iowa.