



Iowa General Assembly

2008 Legal Updates

Legislative Services Agency – Legal Services Division http://www.judicial.state.ia.us/Supreme_Court/Recent_Opinions/20080620/05-1691.pdf

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LEGISLATION SINGLE SUBJECT REQUIREMENT - STANDING TO CHALLENGE

Filed by the Iowa Supreme Court

June 20, 2008

Godfrey v. State

No. 94/05-1691

http://www.judicial.state.ia.us/Supreme_Court/Recent_Opinions/20080620/05-1691.pdf

Background. In September of 2004, the Iowa General Assembly convened for a one-day special legislative session and passed House File 2581, which was subsequently signed into law by Governor Vilsack. House File 2581 was the result of the Iowa Supreme Court's decision in *Rants v. Vilsack*, 684 N.W.2d 193 (Iowa 2004). In that case, the Court held the Governor lacked authority under the constitution to line-item veto portions of a bill passed by the General Assembly in 2003 (House File 692) and that the exercise by the Governor of his attempted line-item veto operated, under the Iowa Constitution, to veto the entire bill, which created and funded an Iowa Values Fund and included provisions for tax and regulatory reform. The provisions vetoed by the Governor dealt with changes in the tax code, products liability legislation, and workers' compensation, as well as other provisions relating to the operation of the Department of Economic Development and the Governor's office. House File 2581 was the result of a compromise effort by the Governor and the General Assembly mainly in the areas of economic development, taxation, and employment and included a provision that changed workers' compensation benefits for successive injuries.

Procedure. In October of 2004, Ms. Gertrude Godfrey, the plaintiff in this case, filed a petition for declaratory judgment and injunctive relief against the State of Iowa, claiming House File 2581 violated the single-subject rule of Article III, Section 29 of the Iowa Constitution. The district court denied injunctive relief and ultimately dismissed her petition, holding Ms. Godfrey had no standing to bring her claim. The district court refused to rule on the merits of her claim that the bill was unconstitutional in violation of the single-subject rule. Ms. Godfrey filed a notice of appeal to the Iowa Supreme Court (Court).

Issue. Whether the plaintiff in this case had standing to bring her case before the Court based on her status as a citizen, taxpayer, and potential workers' compensation claimant or whether the plaintiff should be exempted from the standing requirement based on the important public interest presented by her claim, allowing the merits of her claim to be addressed on appeal.

Analysis and Decision

Standing Requirement. The Court first addressed the issue of standing and the policies and framework that underlie the application of the standing doctrine. Generally, courts refuse to decide disputes presented in a lawsuit when the party asserting an issue is not properly situated to seek an adjudication. This doctrine serves to limit which persons may bring a lawsuit. The test for standing in Iowa involves a consideration of whether a plaintiff has a specific personal or legal interest in the litigation and whether the plaintiff was "injuriously affected".

The Court found that the plaintiff's claim that the workers' compensation provisions enacted in House File 2581 will limit any future amount of benefits she would recover in the event she sustains another work-related injury in the future does not make it any more likely that she will suffer another injury in the future. The Court also found that neither the plaintiff's claim of a general vindication of the public interest in seeing that the legislature acts in conformity with the constitution nor her claim that she is the only litigant in Iowa able to assert a constitutional challenge to the statute because the window of

opportunity for other litigants to file a single-subject challenge has passed were sufficient to establish the personal injury element required for standing.

Great Public Importance Exception to the Standing Requirement. In considering the plaintiff's final argument, asking the Court to waive the standing requirement in exceptional circumstances involving issues of public importance, the Court stated that Iowa is free to develop an exception to the standing requirement to best meet the needs and concerns of the Court's role in the overall operation of government and that an exception to the standing requirement that conforms to the underlying separation-of-powers rationale for the standing doctrine should be recognized under the proper circumstances.

In considering whether the circumstances of this case are sufficient to support this exception to the standing rule, the Court examined the plaintiff's claim that the Iowa General Assembly violated the single-subject rule of Article III, Section 29 of the Iowa Constitution in enacting House File 2581. The Court noted that this constitutional requirement involves both a single-subject requirement that requires each legislative proposal to stand on its own merits and a title requirement ensuring that the subject of a bill must be expressed in the title to provide reasonable notice to the legislative members and to the general public to find out what the bill or act is about without reading it in full and to prevent surprise and fraud in the legislative process.

The Court found it significant that the plaintiff in this case did not challenge the title requirement but instead only challenged the single-subject requirement by claiming that the individual provisions of House File 2581 do not relate to the same subject. The Court stated that the plaintiff's failure to make a claim about the title requirement that implicates fraud or surprise, or "other such evils inconsistent with the democratic legislative process" eliminates the Court's need to intervene to determine if the General Assembly has violated a constitutional mandate because of the fact that House File 2581 was a compromise effort by both the executive and legislative branches to reenact legislation that had previously failed. The Court stated that such circumstances "minimize our need to interfere with the affairs of another branch of government." Further, the absence of a title claim diminishes the importance of the plaintiff's challenge to the single-subject requirement as both the single-subject requirement and the title requirement operate together and the single-subject requirement is not one of great public importance in this case to support a waiver of the standing requirement.

Conclusion. The Court concluded that the plaintiff failed to establish standing to assert her claim and also declined to waive the standing requirement, thus affirming the decision of the district court.

Dissent. Two justices filed a dissenting opinion, arguing that the Court should waive the standing doctrine and allow the plaintiff to proceed with her claim that House File 2581 violated the single-subject requirement. The dissenting justices noted that the analysis of whether a person has standing to bring a lawsuit must be made independent from the merits of the claim. In this case, they concluded that the application of the doctrine of great public importance should have allowed the Court to grant a waiver of the standing requirement because compliance with the single-subject clause goes to the very heart of the legislative process.

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