

January 21, 1963.
Constitutional Amendments.
Pass as amended 3/13

H. J. R. 5
By CARSTENSEN.

Passed House, Date.....

Passed Senate, Date.....

Vote: Ayes..... Nays.....

Vote: Ayes..... Nays.....

Approved.....

HOUSE JOINT RESOLUTION

A Joint Resolution proposing an amendment to the Constitution of the State of Iowa changing the term of office of county attorneys to four (4) years.

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

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

3 Section thirteen (13) of Article five (V) of the Constitution
4 of the State of Iowa as amended by Amendment four (4) of the
5 Amendments of eighteen hundred eighty-four (1884) is hereby
6 repealed and the following adopted in lieu thereof:

7 "Section 13. The qualified electors of each county shall, at
8 the general election in the year 1968 and every four (4) years
9 thereafter, elect a County Attorney who shall be a resident of
10 the county for which he is elected and shall hold his office for
11 four (4) years and until his successor shall have been elected
12 and qualified."

1 Sec. 2. The foregoing proposed amendment is hereby referred
2 to the general assembly to be chosen at the next general election
3 for members of the general assembly and the secretary of state is
4 directed to cause the same to be published for three (3) consecu-
5 tive months before the date of said election as provided by law.

EXPLANATION OF H. J. R. 5

This resolution proposes a change in the constitution so that the county attorney's term of office is the same as that of other county officials.

HOUSE JOINT RESOLUTION 5

- 1 Amend House Joint Resolution 5 as follows:
- 2 1. Amend the title by striking all after the word "Iowa" in
- 3 line two (2) and inserting the following in lieu thereof:
- 4 "relating to the office of county attorney."
- 5 2. Amend section one (1) by striking all of lines seven (7)
- 6 through twelve (12) and inserting the following in lieu thereof:
- 7 "Section 13. The general assembly may enact such laws as it
- 8 shall deem advisable with respect to the office of county attorney.
- 9 Existing laws with respect to the office of county attorney shall
- 10 remain in effect until altered or repealed by the general assembly."

Filed
March 13, 1963.

COMMITTEE ON CONSTITUTIONAL AMENDMENTS,
ROY J. SMITH, *Chairman.*

EXPLANATION OF COMMITTEE AMENDMENT
(House Joint Resolution 5)

- 1 This amendment would remove the office of county attorney
- 2 from present constitutional restrictions and allow the general
- 3 assembly to regulate this office. The county attorney is
- 4 now the only county officer mentioned in the constitution.
- 5 For example, this amendment would allow the general assembly
- 6 in its discretion to provide a four-year term for county
- 7 attorneys instead of the two-year term now required by the
- 8 constitution. Existing laws on county attorneys (for example,
- 9 Chapter 336 and Section 39.17 of the Code) would remain in
- 10 effect until changed by the general assembly.