

January 22, 1963.

Passed on File.

*Legislative Redistricting 1/23*

Passed Senate, Date.....

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

Approved.....

S. J. R. 8

By MINCKS.

Passed House, Date.....

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

## SENATE JOINT RESOLUTION

A Joint Resolution proposing a constitutional amendment relating to representation in the senate and house of representatives and to the apportionment, terms, qualifications, classification, and time and manner of election of members of the senate and house of representatives.

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

1 Section 1. The following amendment to the Constitution  
2 of the State of Iowa is hereby adopted:  
3 Sections thirty-four (34), thirty-five (35) and thirty-  
4 six (36) of Article three (III) as adopted by amendment in  
5 nineteen hundred four (1904), and amendment to Section thirty-  
6 four (34) of Article three (III) as adopted in nineteen twenty-  
7 eight (1928) of the Consitution of the State of Iowa are  
8 hereby repealed and the following is hereby adopted in lieu  
9 thereof:

10 "Section 34. The Senate shall be composed of not more  
11 than fifty (50) members to be elected from the several  
12 senatorial districts established by the redistricting com-  
13 mission or the Supreme Court, as the case may be, as set out  
14 in Section thirty-six (36) of this resolution. At the first  
15 meeting of this commission following the adoption of this  
16 resolution and each succeeding meeting held following the  
17 taking of the national census, they shall be apportioned  
18 in several counties or districts of the State according to

19 the population as shown by the last preceeding census.

20 "Section 35. The House of Representatives shall consist  
21 of not more than one hundred (100) representatives and they  
22 shall be apportioned among the several counties and represent-  
23 ative districts of the State according to the number of  
24 inhabitants in each. The ratio of representation shall be  
25 determined by dividing the whole number of the population  
26 of the State as shown by the last decennial census, by the  
27 whole number of representatives as set out by the redistrict-  
28 ing commission or the Supreme Court, as the case may be,  
29 provided for in Section thirty-six (36) of this resolution.  
30 But no representative district shall contain more than four  
31 (4) organized counties and each district shall be entitled  
32 to at least one (1) representative.

33 "Every county and district which shall have a number  
34 of inhabitants equal to one-half ( $\frac{1}{2}$ ) of the ratio shall be  
35 entitled to one (1) representative. In any one county  
36 containing, in addition to the ratio, one-half ( $\frac{1}{2}$ ) of that  
37 number, or more, they shall be entitled to one (1)  
38 additional representative. No floating district shall here-  
39 after be formed.

40 "Section 36. Promptly after the adoption of this amend-  
41 ment, and after each United States decennial census thereafter,  
42 the State shall be redistricted into senatorial and  
43 representative districts as hereinafter provided in accordance  
44 with the provisions of Sections thirty-four (34) and thirty-  
45 five (35) of this Article.

46 "Such redistricting shall be done by a redistricting  
47 commission.

48 "Promptly after the adoption of this amendment, and after  
49 each United States decennial census thereafter, and upon  
50 receipt by the Secretary of State of so much of the official  
51 results of such census as is reasonably required for the  
52 purpose of redistricting as provided in this Section, the  
53 Secretary of State shall promptly certify and mail such  
54 information to the members of the State central committee of  
55 each of the two (2) political parties whose candidates for  
56 Governor shall have received the highest numbers of votes in  
57 the last preceding general election in which a Governor shall  
58 have been elected. The first such certification by the Secretary  
59 of State after the adoption of this amendment, shall be based  
60 upon the nineteen hundred sixty (1960) United States decennial  
61 census. If any such political party does not have a State  
62 central committee, the organization or body within such  
63 political party whose functions most closely correspond to  
64 those of a State central committee, shall be deemed to be the  
65 State central committee for the purposes of this Section.

66 "Within thirty (30) days after the mailing by the Secretary  
67 of State of such certification to the members of such State  
68 central committees, each of such State central committees shall  
69 appoint five (5) qualified electors as members of such redistricting  
70 commission, and shall file with the Secretary of State  
71 the names of such members. If either of the State central  
72 committees does not file such names within the time prescribed,  
73 the Supreme Court shall promptly appoint five (5) members from  
74 among the qualified electors of the political party of such  
75 committee. Each member of the redistricting commission shall  
76 receive such compensation as shall be provided by law.

77 "The redistricting commission shall redistrict the state  
78 into senatorial and representative districts in accordance  
79 with the provisions of Sections thirty-four (34) and thirty-  
80 five (35) of this Article and shall, within sixty (60) days  
81 after the date by which all members of the redistricting  
82 commission have been appointed, file with the Secretary of State  
83 a complete statement of the redistricting action of the commission  
84 and the boundaries of all senatorial and representative districts.  
85 No such statement shall be valid unless it is signed by at least  
86 seven (7) members of such commission.

87 "If the redistricting commission does not file the required  
88 statement within the time prescribed, it shall stand discharged  
89 and such redistricting shall be done by the Supreme Court of the  
90 State. In such event, an appropriate order of the court setting  
91 forth its redistricting action and the boundaries of all  
92 senatorial and representative districts shall be entered and  
93 certified to the Secretary of State within sixty (60) days after  
94 the final date by which the redistricting commission should  
95 have filed its statement with the Secretary of State. Such  
96 order shall be final.

97 "Upon the petition of any one hundred (100) qualified  
98 electors filed with the Supreme Court within thirty (30) days  
99 after the filing of the statement of the redistricting com-  
100 mission, the Supreme Court shall determine within sixty (60)  
101 days after the filing of such petition whether the redistricting  
102 action of the redistricting commission substantially complies  
103 with the provisions of the Constitution. Such determination  
104 shall be entered and certified to the Secretary of State  
105 within sixty (60) days after the filing of such petition, and

106 shall be final. If the court's determination is that such  
107 redistricting action does not substantially comply, such  
108 redistricting shall be done by the court; and an appropriate  
109 order of the court setting forth its redistricting action and  
110 the boundaries of all senatorial and representative districts  
111 shall be entered and certified to the Secretary of State  
112 within thirty (30) days after the certification of such  
113 determination of the court to the Secretary of State. Such  
114 order shall be final.

115 "In the event that prior to the final determination or  
116 redistricting order of the Supreme Court in response to any  
117 such petition, nominations for the office of senator or  
118 representative in districts affected thereby shall have been  
119 made, the Supreme Court may order the holding of new primary  
120 elections or such other measures as the court deems necessary  
121 to provide for nominations for the office of senator in  
122 senatorial districts or representative in representative  
123 districts affected by such final determination or redistrict-  
124 ing order of the Supreme Court.

125 "Redistricting under the provisions of this Section shall  
126 become effective on the first (1st) day of January following  
127 the first general election for members of the General Assembly  
128 held more than one (1) year after the adoption of this amend-  
129 ment, and on the first (1st) day of January following the first  
130 general election for members of the General Assembly held more  
131 than one (1) year after such official results of the most recent  
132 United States decennial census shall have been received by the  
133 Secretary of State. However, the senatorial and representative  
134 districts established by such redistricting shall be the

135 senatorial and representative districts for the purposes of  
136 such general election and any primary election at which candi-  
137 dates for the office of senator and representative at such  
138 general election shall be chosen.

139 "Redistricting done under the provisions of this Section  
140 shall be final and binding upon all concerned until the next  
141 redistricting under the provisions of this Section becomes  
142 effective, notwithstanding any other provisions of the  
143 Constitution."

1 Sec. 2. The foregoing proposed amendment to the Consti-  
2 tution of the State of Iowa is hereby referred to the General  
3 Assembly to be chosen at the next general election for members  
4 of the General Assembly, and shall be published as provided by  
5 law for three (3) months previous to the date of said general  
6 election; and if approved by said General Assembly, shall be  
7 submitted to the people at a special election to be held on  
8 the same day of the general election in nineteen hundred  
9 sixty-six (1966).