

SENATE JOINT RESOLUTION 8215

State of Washington 52nd Legislature 1991 Regular Session

By Senators Rasmussen, Metcalf and Craswell.

Read first time January 28, 1991. Referred to Committee on
Governmental Operations.

1 BE IT RESOLVED, BY THE SENATE AND HOUSE OF REPRESENTATIVES OF THE
2 STATE OF WASHINGTON, IN LEGISLATIVE SESSION ASSEMBLED:

3 SECTION 1. That the Legislature of the State of Washington,
4 pursuant to Article V of the United States Constitution, hereby
5 ratifies an amendment to the Constitution of the United States proposed
6 by resolution of the First Congress of the United States in New York,
7 New York, on September 25, 1789, which reads as follows:

8 "RESOLVED by the Senate and House of Representatives of the United
9 States of America in Congress assembled, two thirds of both Houses
10 concurring, that the following [Article] be proposed to the
11 Legislatures of the several States,...which [Article], when ratified by
12 three fourths of the said Legislatures, to be valid to all intents and
13 purposes, as part of the said Constitution, viz.:

14 "[An ARTICLE] in addition to, and Amendment of the Constitution of
15 the United States of America, proposed by Congress, and ratified by the

1 Legislatures of the several States, pursuant to the fifth Article of
2 the original Constitution.

3 "Article the second...No law, varying the compensation for the
4 services of the Senators and Representatives, shall take effect, until
5 an election of Representatives shall have intervened."

6 SECTION 2. That the Legislature of the State of Washington
7 acknowledges that the above-quoted article of amendment to the United
8 States Constitution has already been ratified by the legislatures of
9 the following states on the dates indicated: Maryland on December 19,
10 1789; North Carolina on December 22, 1789; South Carolina on January
11 19, 1790; Delaware on January 28, 1790; Vermont on November 3, 1791;
12 Virginia on December 15, 1791; Ohio on May 6, 1873 [70 OHIO LAWS
13 409-10]; Wyoming on March 3, 1978 [124 CONG. REC. 7910, 8265-66; 133
14 CONG. REC. S12949]; Maine on April 27, 1983 [130 CONG. REC. H9097,
15 S11017]; Colorado on April 18, 1984 [131 CONG. REC. S17687; 132 CONG.
16 REC. H6446]; South Dakota on February 21, 1985 [131 CONG. REC. H971,
17 S3306]; New Hampshire on March 7, 1985 [131 CONG. REC. H1378, S3597];
18 Arizona on April 3, 1985 [131 CONG. REC. H2060, S4750]; Tennessee on
19 May 23, 1985 [131 CONG. REC. H6672, S10797, S13504]; Oklahoma on July
20 10, 1985 [131 CONG. REC. H7263, S13504]; New Mexico on February 13,
21 1986 [132 CONG. REC. H827, S2207-8, S2300]; Indiana on February 19,
22 1986 [132 CONG. REC. H1634, S4663]; Utah on February 25, 1986 [132
23 CONG. REC. S6750, 7578; 133 CONG. REC. H9866]; Arkansas on March 5,
24 1987 [134 CONG. REC. H3721, S7518]; Montana on March 11, 1987 [133
25 CONG. REC. H1715, S6155]; Connecticut on May 13, 1987 [133 CONG. REC.
26 H7406, S11891]; Wisconsin on June 30, 1987 [133 CONG. REC. H7406,
27 S12948, S13359]; Georgia on February 2, 1988 [134 CONG. REC. H2638,
28 S5239]; West Virginia on March 10, 1988 [134 CONG. REC. H2492, S4784-
29 85]; Louisiana on July 6, 1988 [134 CONG. REC. H5783, S9939]; Iowa on

1 February 7, 1989 [135 CONG. REC. H836, S3509-10]; Idaho on March 23,
2 1989 [135 CONG. REC. H1893, S7911]; Nevada on April 26, 1989 [135 CONG.
3 REC. H2054, S10826]; Alaska on May 5, 1989 [135 CONG. REC. H5485,
4 S8054]; Oregon on May 19, 1989 [135 CONG. REC. H5692, H5972, S11123-24,
5 S12150]; Minnesota on May 22, 1989 [135 CONG. REC. H3258, H3678,
6 S7655-56, S7912]; Texas on May 25, 1989 [135 CONG. REC. H2594,
7 S6726-27]; Kansas on April 5, 1990 [136 CONG. REC. H1689, S9170, E1740-
8 41]; and Florida on May 31, 1990 [136 CONG. REC. H5198, S10091]; as
9 well as by the Senate of the State of California on June 30, 1989; the
10 House of Representatives of the State of Illinois on June 22, 1988, and
11 again on May 24, 1989; the Senate of the State of Michigan on March 15,
12 1989; the House of Representatives of the State of Missouri on March
13 20, 1990; and the House of Representatives of the State of North Dakota
14 on January 26, 1987, and again on February 3, 1989.

15 SECTION 3. That the Legislature of the State of Washington
16 acknowledges that the proposed original second amendment to the United
17 States Constitution may still be ratified by states' legislatures as a
18 result of the ruling by the United States Supreme Court in the landmark
19 case of COLEMAN V. MILLER, [307 U.S. 433 (1939)] in which it was opined
20 that Congress is the final arbiter on the question of whether too much
21 time has elapsed between Congress' submission of an amendment and the
22 most recent state legislature's ratification of same if Congress did
23 not specify a deadline on the amendment's consideration.

24 SECTION 4. That the Secretary of State shall notify the Archivist
25 of the United States (pursuant to 1 U.S.C. 106b and 112; as amended by
26 PL 98-497 [98 Stat. 2291]) of the action of the 52nd Legislature of the
27 State of Washington by sending to him a properly inscribed copy of this
28 resolution.

1 SECTION 5. That the Secretary of State shall also send properly
2 inscribed copies of this resolution to both United States Senators from
3 Washington, all United States Representatives from Washington, the
4 Vice-President of the United States, and to the Speaker of the United
5 States House of Representatives with the request that it be printed in
6 full in the CONGRESSIONAL RECORD.