

HOUSE JOINT RESOLUTION 3

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By: **Delegates Morhaim, Barve, Cardin, Cluster, Costa, Feldman, Griffith, Holmes, Hubbard, Lafferty, McIntosh, A. Miller, Nathan-Pulliam, Pena-Melnyk, Ross, Stein, and Waldstreicher**

Introduced and read first time: January 20, 2012

Assigned to: Rules and Executive Nominations

Committee Report: Favorable

House action: Adopted

Read second time: March 30, 2012

RESOLUTION NO. _____

1 A House Joint Resolution concerning

2 **Maryland Ratification of the 17th Amendment to the United States**
3 **Constitution**

4 FOR the purpose of ratifying the 17th Amendment to the United States Constitution
5 relative to the popular election of United States Senators.

6 WHEREAS, The 17th Amendment to the United States Constitution provides
7 for the direct election of Senators of a state to the United States Congress rather than
8 for their election or appointment by a state legislature; and

9 WHEREAS, The 17th Amendment passed the United States Senate on June 12,
10 1911, and then passed the United States House of Representatives on May 13, 1912;
11 and

12 WHEREAS, The 17th Amendment thereafter was ratified to become part of the
13 United States Constitution when on April 8, 1913, Connecticut became the 36th state
14 to ratify its adoption, thereby satisfying the requirement of the United States
15 Constitution that any proposed constitutional amendment be approved by at least
16 three-fourths of the states; and

17 WHEREAS, Following its formal ratification, the 17th Amendment
18 subsequently also was ratified by Louisiana on June 11, 1913, and Delaware on June
19 25, 2010; and

EXPLANATION:

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken by amendment.



1 WHEREAS, By its vote on February 26, 1913, Utah was the only state to reject
2 the 17th Amendment (although the Florida legislature, which also took up the
3 amendment, failed to complete action as the amendment never reached the Florida
4 Senate); and

5 WHEREAS, The General Assembly of Maryland has not taken action to either
6 ratify or reject the 17th Amendment to be part of the United States Constitution, the
7 State of Maryland now wishes formally to record its support for and also ratify the
8 amendment, viz:

9 “Article

10 The Senate of the United States shall be composed of two Senators from each
11 State, elected by the people thereof, for six years; and each Senator shall have one
12 vote. The electors in each State shall have the qualifications requisite for electors of
13 the most numerous branch of the State legislatures.

14 When vacancies happen in the representation of any State in the Senate, the
15 executive authority of each State shall issue writs of election to fill such vacancies:
16 Provided, That the legislature of any State may empower the executive thereof to
17 make temporary appointments until the people fill the vacancies by election as the
18 legislature may direct.

19 This amendment shall not be so construed as to affect the election or term of
20 any Senator chosen before it becomes valid as part of the Constitution.”; now,
21 therefore, be it

22 RESOLVED BY THE GENERAL ASSEMBLY OF MARYLAND, That the
23 foregoing amendment to the United States Constitution is ratified by the State of
24 Maryland to all intents and purposes as a part of the United States Constitution; and
25 be it further

26 RESOLVED, That the Governor of the State of Maryland is requested to
27 forward authentic copies of this Resolution, under the Great Seal of the State of
28 Maryland, to: the Honorable Hillary Rodham Clinton, Secretary of State of the United
29 States, 2201 C Street, N.W., Washington, D.C. 20520; the Honorable Harry Reid,
30 Majority Leader, United States Senate, 528 Hart Senate Office Building, Washington,
31 D.C. 20510; the Honorable John Boehner, Speaker of the House of Representatives of
32 the United States, 1011 Longworth House Office Building, Washington, D.C. 20515;
33 and the Honorable Martha N. Johnson, Acting Administrator of General Services of
34 the United States, 1800 F Street, N.W., Washington, D.C. 20405.