

---

By: **Senators Mooney, Brinkley, Colburn, Harris, Hooper, Kittleman, and Pipkin**

Introduced and read first time: February 3, 2005

Assigned to: Education, Health, and Environmental Affairs

---

SENATE JOINT RESOLUTION

1 A Senate Joint Resolution concerning

2 **Support for the President's Nominees to the United States Supreme Court**

3 FOR the purpose of requesting the United States Senators from Maryland to work for  
4 a timely floor vote in the United State Senate on all nominations that President  
5 George W. Bush may make to the United States Supreme Court.

6 WHEREAS, Article II, Section 2 of the United States Constitution states in part  
7 that "the President shall nominate, and by and with the Advice and Consent of the  
8 Senate, shall appoint ... Judges of the Supreme Court"; and

9 WHEREAS, There is a high likelihood of at least one seat on the United States  
10 Supreme Court becoming vacant during the 109th Congress; and

11 WHEREAS, There is a possibility of the need to elevate an Associate Justice of  
12 the United States Supreme Court to the position of Chief Justice during the 109th  
13 Congress; and

14 WHEREAS, Activist judges on some federal courts have frustrated the  
15 constitutional structure that prescribes that laws be written by elected legislatures;  
16 and

17 WHEREAS, President George W. Bush has expressed his commitment to  
18 appoint federal judges who will strictly interpret the United States Constitution; and

19 WHEREAS, In the past, a minority of senators has used dilatory tactics to  
20 prevent a Senate floor vote on several of President George W. Bush's judicial  
21 nominees, each of whom was given a favorable report by the United States Senate  
22 Committee on the Judiciary; now, therefore, be it

23 **RESOLVED BY THE GENERAL ASSEMBLY OF MARYLAND**, That the  
24 General Assembly requests United States Senators Paul S. Sarbanes and Barbara A.  
25 Mikulski, if the occasion arises, to provide a timely floor vote for each nominee of  
26 President George W. Bush to the office of Associate Justice or Chief Justice of the  
27 United States Supreme Court; and be it further

1       RESOLVED, That a copy of this Resolution be forwarded by the Department of  
2 Legislative Services to the Maryland Congressional Delegation: Senators Paul S.  
3 Sarbanes and Barbara A. Mikulski, Senate Office Building, Washington, D.C. 20510;  
4 and Representatives Wayne T. Gilchrest, C.A. Dutch Ruppersberger III, Benjamin L.  
5 Cardin, Albert R. Wynn, Steny Hamilton Hoyer, Roscoe G. Bartlett, Elijah E.  
6 Cummings, and Christopher Van Hollen, Jr., House Office Building, Washington,  
7 D.C. 20515; and be it further

8       RESOLVED, That a copy of this Resolution be forwarded by the Department of  
9 Legislative Services to the Honorable Robert L. Ehrlich, Jr., Governor of Maryland;  
10 the Honorable Thomas V. Mike Miller, Jr., President of the Senate of Maryland; and  
11 the Honorable Michael E. Busch, Speaker of the House of Delegates.