

# SENATE JOINT RESOLUTION 1

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(PRE-FILED)

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By: **Senator Jacobs**

Requested: June 2, 2008

Introduced and read first time: January 14, 2009

Assigned to: Rules

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## SENATE JOINT RESOLUTION

1 A Senate 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 – the last state to do so – on June 11,  
19 1913; and

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

24 WHEREAS, The General Assembly of Maryland has not taken action to either  
25 ratify or reject the 17th Amendment to be part of the United States Constitution, the



1 State of Maryland now wishes formally to record its support for and also ratify the  
2 amendment, viz:

3 “Article

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

8 When vacancies happen in the representation of any State in the Senate, the  
9 executive authority of each State shall issue writs of election to fill such vacancies:  
10 *Provided*, That the legislature of any State may empower the executive thereof to  
11 make temporary appointments until the people fill the vacancies by election as the  
12 legislature may direct.

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

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

20 RESOLVED, That the Governor of the State of Maryland is requested to  
21 forward authentic copies of this Resolution, under the Great Seal of the State of  
22 Maryland, to: the Honorable Condoleezza Rice, Secretary of State of the United States,  
23 2201 C Street, N.W., Washington, D.C. 20520; the Honorable Harry Reid, Majority  
24 Leader, United States Senate, 528 Hart Senate Office Building, Washington, D.C.  
25 20510; the Honorable Nancy Pelosi, Speaker of the House of Representatives of the  
26 United States, 235 Cannon House Office Building, Washington, D.C. 20515; and the  
27 Honorable David L. Bibb, Acting Administrator of General Services of the United  
28 States, 1800 F Street, N.W., Washington, D.C. 20405.