

HOUSE JOINT RESOLUTION 9

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By: **Delegates Solomon, Ivey, Allen, Alston, Amprey, Atterbeary, Boaf, Chang, Charkoudian, Conaway, Crutchfield, Cullison, Davis, Ebersole, Edelson, Embry, Fair, Feldmark, Fennell, Foley, Forbes, Fraser–Hidalgo, Grossman, Harris, Hill, Holmes, S. Johnson, D. Jones, Kaiser, Kaufman, Lehman, J. Lewis, R. Lewis, J. Long, Lopez, Martinez, McCaskill, Mireku–North, Pena–Melnyk, Phillips, Pruski, Qi, Rosenberg, Ruff, Ruth, Shetty, Simmons, Simpson, Smith, Spiegel, Stein, Stewart, Taveras, Toles, Turner, Valderrama, Vogel, Watson, White Holland, Wilkins, Williams, Wims, and Woods**

Introduced and read first time: February 9, 2024

Assigned to: Rules and Executive Nominations

HOUSE JOINT RESOLUTION

A House Joint Resolution concerning

United States of America – District of Columbia – Statehood

FOR the purpose of declaring the State of Maryland’s support of and consent to admitting Washington, D.C. to the Union as a state of the United States of America; and generally relating to Washington, D.C. statehood.

WHEREAS, Since the ratification of the U.S. Constitution on June 21, 1788, the U.S. Congress has had the power to “exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States”; and

WHEREAS, The seat of the government of the United States, which was “for ever ceded and relinquished to the congress and government of the United States, in full and absolute right, and exclusive jurisdiction” by the State of Maryland in 1791, was transferred from the Commonwealth of Pennsylvania to the District on December 1, 1800, in accordance with the Residence Act of 1790 (1 Stat. 130), and was organized into the District of Columbia under the entire control of Congress for every purpose of government on February 27, 1801, in accordance with the District of Columbia Organic Act of 1801 (2 Stat. 103), through which the residents of the District were separated from the State of Maryland and the Commonwealth of Virginia and ceased to be considered citizens of any state, no longer entitled to all the rights, guarantees, and immunities of the U.S. Constitution, including: the right to appoint electors in the Electoral College; the right to elect senators and representatives to Congress; and the right to self–govern and ratify proposed amendments to the U.S. Constitution, despite continuing to pay federal taxes,



serve in the military, and share all other responsibilities of citizenship of the United States; and

WHEREAS, The Twenty–Third Amendment to the U.S. Constitution was proposed by Congress on June 17, 1960, ratified by the State of Maryland on January 30, 1961, and ratified by a sufficient number of states to become effective on March 29, 1961. The amendment granted the District the right to appoint a number of electors “equal to the whole number of Senators and Representatives in Congress to which the District would be entitled if it were a State”; and

WHEREAS, Congress granted a nonvoting member of the House of Representatives to the District on September 22, 1970, in accordance with the District of Columbia Delegate Act (84 Stat. 845); and

WHEREAS, Enactment of the District of Columbia Home Rule Act (87 Stat. 774) by the United States Congress on December 24, 1973, and the ratification of a Charter referendum by the voters of the District on May 7, 1974, reorganized the District by granting limited powers of local self–government to an elected, thirteen member Council of the District of Columbia and an elected Mayor to “relieve Congress of the burden of legislating upon essentially local District matters”. Congress, however, granted no local control over the judiciary and reserved “the right, at any time, to exercise its constitutional authority as legislature for the District, by enacting legislation for the District on any subject, whether within or without the scope of legislative power granted to the Council...including legislation to amend or repeal any law in force in the District”; and

WHEREAS, Historically, Congress and the President of the United States have interfered with the District’s local self–government and Home Rule by enacting resolutions disapproving of, amending, or repealing actions of the Council and Mayor, including by rejecting actions concerning the locations of chanceries in 1979, sexual assault reform in 1981, the heights of buildings in the District in 1991, and a revised criminal code in 2023, as well as by imposing budget riders that control and limit the use of locally raised tax revenue for purposes such as reproductive health services, cannabis use, and statehood advocacy; and

WHEREAS, On multiple occasions, a majority of the voters of the District have approved initiatives and referendums expressing their desire for statehood, most recently on November 8, 2016, in which 85.69% of voters: (1) agreed that the District should be admitted to the Union as the State of Washington, D.C.; (2) approved of the Constitution of the State of Washington, D.C.; (3) approved the proposed boundaries between the State of Washington, D.C. and a federal enclave; and (4) agreed that the State of Washington, D.C. shall guarantee an elected, representative form of government; and

WHEREAS, The legislatures of other states and territories in the United States have introduced, debated, and passed resolutions that support admitting Washington, D.C. into the Union as a state of the United States of America, and legal questions have been posed regarding the State of Maryland’s involvement in and consent to statehood for Washington, D.C.; and

WHEREAS, Despite the U.S. Constitution establishing that “New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more States, or Parts of States, without the consent of the Legislatures of the States concerned as well as of the Congress”, and despite the House of Representatives passing the Washington, D.C. Admission Act on June 26, 2020, and again on April 22, 2021, which would declare that Washington, D.C. is to be a “State of the United States of America, and is declared admitted into the Union on an equal footing with the other States in all respects whatever”, Congress has yet to grant full statehood to the approximately 700,000 people of Washington, D.C.; now, therefore, be it

RESOLVED BY THE GENERAL ASSEMBLY OF MARYLAND, That the State of Maryland supports admitting Washington, D.C. into the Union as a state of the United States of America; and be it further

RESOLVED, That the State of Maryland opposes efforts by Congress and the President that interfere with local self-government and Home Rule in the District, including federal laws disapproving of, amending, or repealing actions of the Council and Mayor of Washington, D.C., as well as federal budget riders that control and limit the use of locally raised tax revenue; and be it further

RESOLVED, That the State of Maryland calls on Congress and the President to enact federal legislation granting statehood to the people of Washington, D.C.; and be it further

RESOLVED, That the State of Maryland reiterates that the cession of land “for ever ceded and relinquished to the congress and government of the United States, in full and absolute right, and exclusive jurisdiction” now encompassing a portion of the District ceased to be within the jurisdiction of the State of Maryland or “within the Jurisdiction of any other State...or Parts of States” after the cession of land on December 19, 1791, and came under the jurisdiction and “exclusive Legislation in all Cases” of Congress on February 27, 1801; and be it further

RESOLVED, That the State of Maryland provides, although unnecessary and redundant, consent to Congress to admit Washington, D.C. into the Union as a state of the United States of America; and be it further

RESOLVED, That certified copies of this Resolution be sent by the Secretary of State to: the Honorable Joseph R. Biden, President of the United States of America, 1600 Pennsylvania Avenue, Washington, D.C. 20500; the Honorable Kamala Harris, Vice President of the United States, President of the United States Senate, Suite S-212, United States Capitol Building, Washington, D.C. 20510; the Honorable Patty Murray, President Pro Tempore of the United States Senate, 154 Russell Senate Office Building, Washington, D.C. 20510; the Honorable James Michael Johnson, Speaker of the United States House of Representatives, Suite H-232, United States Capitol Building, Washington, D.C. 20510; and the Honorable Eleanor Holmes Norton, Delegate to the United States House of

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Representatives for the District of Columbia, 2136 Rayburn House Office Building, Washington, D.C. 20515; and be it further

RESOLVED, That a copy of this Resolution be forwarded by the Department of Legislative Services to the Maryland Congressional Delegation: Senators Benjamin L. Cardin and Christopher Van Hollen, Jr., Senate Office Building, Washington, D.C. 20510; and Representatives Andrew P. Harris, C.A. Dutch Ruppersberger III, John P. Sarbanes, Glenn F. Ivey, Steny Hamilton Hoyer, David J. Trone, Kweisi Mfume, and Jamie Raskin, House Office Building, Washington, D.C. 20515; and be it further

RESOLVED, That a copy of this Resolution be forwarded by the Department of Legislative Services to the Honorable Wes Moore, Governor of Maryland; the Honorable William C. Ferguson, IV, President of the Senate of Maryland; and the Honorable Adrienne A. Jones, Speaker of the House of Delegates; and be it further

RESOLVED, That the Secretary of State is directed to send copies of this Resolution to the presiding officers of both Houses of the legislature of each of the several states, with the request that it be circulated among leaders in the legislative branch of the state governments.