

SENATE JOINT RESOLUTION NO. 4

INTRODUCED BY KEATING

IN THE SENATE

JANUARY 6, 1987 INTRODUCED AND REFERRED TO COMMITTEE
ON STATE ADMINISTRATION.

JANUARY 13, 1987 COMMITTEE RECOMMEND BILL
DO PASS. REPORT ADOPTED.

JANUARY 14, 1987 PRINTING REPORT.

JANUARY 16, 1987 SECOND READING, DO PASS.

JANUARY 17, 1987 ENGROSSING REPORT.

JANUARY 19, 1987 THIRD READING, PASSED.
AYES, 43; NOES, 7.

TRANSMITTED TO HOUSE.

IN THE HOUSE

FEBRUARY 4, 1987 INTRODUCED AND REFERRED TO COMMITTEE
ON STATE ADMINISTRATION.

MARCH 6, 1987 COMMITTEE RECOMMEND BILL BE
CONCURRED IN. REPORT ADOPTED.

MARCH 10, 1987 SECOND READING, CONCURRED IN.

MARCH 11, 1987 THIRD READING, CONCURRED IN.
AYES, 94; NOES, 4.

RETURNED TO SENATE.

IN THE SENATE

MARCH 13, 1987 RECEIVED FROM HOUSE.

SENT TO ENROLLING.

1 SENATE JOINT RESOLUTION NO. 4
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 4 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF
 5 REPRESENTATIVES OF THE STATE OF MONTANA RATIFYING A PROPOSED
 6 AMENDMENT TO THE UNITED STATES CONSTITUTION CONCERNING PAY
 7 INCREASES FOR MEMBERS OF CONGRESS.

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 10 BE IT RESOLVED BY THE SENATE AND THE HOUSE OF
 11 REPRESENTATIVES OF THE STATE OF MONTANA:

12 (1) That the Legislature of the State of Montana,
 13 pursuant to Article V of the United States Constitution,
 14 ratify an amendment to the Constitution of the United States
 15 proposed by resolution of the First Congress of the United
 16 States in New York, New York, on September 25, 1789, which
 17 reads as follows:

18 "RESOLVED by the Senate and House of Representatives of
 19 the United States of America in Congress assembled, two
 20 thirds of both Houses concurring, that the following
 21 [Article] be proposed to the Legislatures of the several
 22 States, . . . which [Article], when ratified by three
 23 fourths of the said Legislatures, to be valid to all intents
 24 and purposes, as part of the said Constitution, viz.:

25 "[An ARTICLE] in addition to, and Amendment of the

1 Constitution of the United States of America, proposed by
 2 Congress, and ratified by the Legislatures of the several
 3 States, pursuant to the fifth Article of the original
 4 Constitution.

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

9 (2) That the Legislature of the State of Montana
 10 acknowledge that the above-quoted article of amendment to
 11 the United States Constitution has already been ratified by
 12 the legislatures of the following states on the dates
 13 indicated: "Maryland on December 19, 1789; North Carolina on
 14 December 22, 1789; South Carolina on January 19, 1790;
 15 Delaware on January 28, 1790; Vermont on November 3, 1791;
 16 Virginia on December 15, 1791; Ohio on May 6, 1873 [Ohio
 17 Laws 409-10]; Wyoming on March 3, 1978 [124 Cong. Rec.
 18 7910]; Maine on April 27, 1983 [130 Cong. Rec. H9097,
 19 S11017]; Colorado on April 18, 1984 [131 Cong. Rec. S17687];
 20 South Dakota on February 21, 1985 [131 Cong. Rec. H971,
 21 S3306]; New Hampshire on March 7, 1985 [131 Cong. Rec.
 22 H1378, S3597]; Arizona on April 3, 1985 [131 Cong. Rec.
 23 H2060, S4750]; Tennessee on May 23, 1985 [131 Cong. Rec.
 24 H6672, S10797, S13504]; Oklahoma on July 10, 1985 [131 Cong.
 25 Rec. H7263, S13504]; New Mexico on February 13, 1986 [132

1 Cong. Rec. H827, S2207-8, S2300]; Indiana on February 19,
2 1986 [132 Cong. Rec. H1634, S4663]; and Utah on February 25,
3 1986 [132 Cong. Rec. S6750]; as well as by the Senate of
4 the State of Georgia on February 2, 1984 and on January 21,
5 1985."

6 (3) That the Legislature of the State of Montana
7 acknowledge that the above-quoted amendment to the United
8 States Constitution may still be ratified by states'
9 legislatures as a result of Coleman v. Miller, 307 US 433
10 (1939), in which the United States Supreme Court ruled that
11 Congress is the final arbiter on the question of whether too
12 much time has elapsed between Congress' submission of the
13 amendment and the most recent state legislature's
14 ratification of the amendment if Congress failed to specify
15 a consideration deadline.

16 (4) That the Secretary of State notify the Archivist
17 of the United States (pursuant to 1 U.S.C. 106b) of the
18 action of the 50th Legislature by sending him a copy of this
19 resolution.

20 (5) That the Secretary of State send copies of this
21 resolution to the Montana Congressional Delegation, the
22 Secretary of the United States Senate, and the Clerk of the
23 United States House of Representatives with a request that
24 it be printed in full in the Congressional Record.

-End-

APPROVED BY COMMITTEE
ON STATE ADMINISTRATION

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