

SENATE JOINT RESOLUTION 2
 BY TAYLOR, HULTMAN, HUTCHINS,
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 COLEMAN, HAGERLA, GENTLEMAN,
 GOODWIN, HEDGE, LIND, STURGEON
 and NYSTROM

Passed Senate, Date _____ Passed House, Date _____
 Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
 Approved _____

SENATE JOINT RESOLUTION

1 A Joint Resolution ratifying a proposed amendment to the
 2 Constitution of the United States to provide for a delay in an
 3 increase in compensation to Members of Congress until an
 4 intervening election of Representatives has occurred.
 5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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SJR 2

1 WHEREAS, The First Congress of the United States of
2 America, at its first session, sitting in New York, New York,
3 on September 25, 1789, in both houses, by a constitutional
4 majority of two-thirds, has proposed an amendment to the
5 Constitution of the United States of America in the following
6 words:

7 "Resolved by the Senate and House of Representatives of the
8 United States of America in Congress assembled two-thirds of
9 both Houses concurring, that the following (Article) be
10 proposed to the legislatures of the several states, as (an
11 Amendment) to the Constitution of the United States, . . .
12 which (Article), when ratified by three-fourths of said
13 legislatures, to be valid to all intents and purposes, as part
14 of the said Constitution, viz;

15 "(An Article) in addition to, and Amendment of the
16 Constitution of the United States of America, proposed by
17 Congress, and ratified by the Legislatures of the several
18 States, pursuant to the fifth Article of the original
19 Constitution.

20 "ARTICLE

21 "No law, varying the compensation for the services of the
22 Senators and Representatives, shall take effect until an
23 election of Representatives shall have intervened."

24 WHEREAS, Article V of the Constitution of the United States
25 allows the ratification of the proposed amendment to the
26 United States Constitution by the General Assembly of the
27 State of Iowa; and

28 WHEREAS, The proposed amendment to the Constitution of the
29 United States has already been ratified by the Legislatures of
30 the following States in the years indicated: Maryland in
31 1789; North Carolina in 1789; South Carolina in 1790; Delaware
32 in 1790; Vermont in 1791; Virginia in 1791; Ohio in 1873;
33 Wyoming in 1978; Maine in 1983; Colorado in 1984; South Dakota
34 in 1985; New Hampshire in 1985; Arizona in 1985; Tennessee in
35 1985; Oklahoma in 1985; New Mexico in 1986; Indiana in 1986;

1 Utah in 1986; Montana in 1987; Connecticut in 1987; Arkansas
2 in 1987; Wisconsin in 1987; Georgia in 1988; West Virginia in
3 1988; and Louisiana in 1988; and

4 WHEREAS, Article V of the Constitution of the United States
5 does not state a time limit on ratification of an amendment
6 submitted by Congress, and the First Congress specifically did
7 not provide a time limit for ratification of the proposed
8 amendment; and

9 WHEREAS, The United States Supreme Court has ruled in
10 Coleman v. Miller, 307 U.S. 433 (1939), that an amendment to
11 the United States Constitution may be ratified by States at
12 any time, and Congress must then finally decide whether a
13 reasonable time had elapsed since its submission when, in the
14 presence of certified ratifications by three-fourths of the
15 States, the time arrives for the promulgation of the adoption
16 of the amendment; and

17 WHEREAS, Section 25 of Article III of the Constitution of
18 the State of Iowa provides that "Each member of the General
19 Assembly shall receive such compensation and allowances for
20 expenses as shall be fixed by law but no General Assembly
21 shall have the power to increase compensation and allowances
22 effective prior to the convening of the next General Assembly
23 following the session in which any increase is adopted."; and

24 WHEREAS, The General Assembly of the State of Iowa finds
25 that the proposed amendment is still meaningful and needed as
26 part of the United States Constitution and that the present
27 political, social, and economic conditions are the same as or
28 even more demanding today than they were when the proposed
29 amendment was submitted for its adoption; NOW THEREFORE,

30 BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

31 That the foregoing proposed amendment to the Constitution
32 of the United States is hereby ratified and consented to by
33 the State of Iowa and the General Assembly thereof; and

34 BE IT FURTHER RESOLVED, That the Governor of the State of
35 Iowa forward certified copies of this resolution over the seal

1 of the State of Iowa to the Archivist of the United States,
2 and to the presiding officers of the Senate and House of
3 Representatives of the United States.

4 BE IT FURTHER RESOLVED, That the General Assembly of the
5 State of Iowa urges the State Legislatures of those States
6 which have not done so to follow Iowa in ratifying the
7 proposed amendment and that, as an incentive for them to do
8 so, copies of the foregoing preamble and resolution be
9 transmitted to those State Legislatures.

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EXPLANATION

11 This resolution ratifies a proposed amendment to the United
12 States Constitution providing that a law varying the
13 compensation of Congress not take effect until an election
14 intervenes.

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