

HOUSE JOINT RESOLUTION 7

BY HAMMOND, PETERS, BROWN, JESSE, DVORSKY, WISE, SVOBODA, MERTZ, NIELSEN, SHEARER, PONCY, SHOULTZ, NEUHAUSER, LYKAM, BUHR, ARNOULD, CONNORS, HARPER, MUHLBAUER, JOHNSON, MCKINNEY, ADAMS, BLANSHAN, RENAUD, BRAMMER, BLACK, KOENIGS, KNAPP, PETERSON of Carroll, PAVICH, BRAND, MAY, COHOON, GRUHN, FULLER, FOGARTY, CONNOLLY, CHAPMAN, HATCH, OSTERBERG, FEY, SCHRADER, GRONINGA, OLLIE and ROSENBERG

FEB 6 1989

STATE GOVERNMENT

2/6/89

The following members requested to be added as sponsors of House Joint Resolution 7: Hanson of Delaware, Stromer of Hancock, H. ... of Maize, Maulsby of Calhoun, Van Maanen of Mahaska, Tyrrell of Iowa, Halvorson of Clayton, Pellett of Cass, Schneklath of Scott, ... of Bremer, Eddie of Buena Vista, Lundby of Linn, Metcalf of ... of Grundy, Shoring of Woodbury, Branstad of ... of Adams, De Groot of Lyon, Trent of Muscatine, ... of Ida, Garman of Story, Siegrist of Pottawattamie, Carpenter ... of Sioux, Hester of Pottawattamie, Kremer of ... of Black Hawk, Peterson of Muscatine, Kistler of ... of Jones, Beaman of Clarke, Spenner of Henry, ... of Terry, Banks of Plymouth, Corbett of Linn and Miller of Cherokee 2/6/89

Passed House, Date 2-7-89 (p 339) Passed Senate, Date 2-7-89 (p 301)
Vote: Ayes 50 Nays 2 Vote: Ayes 44 Nays 0
Approved _____

HOUSE 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.

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HJR 7

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; NOW THEREFORE,

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

18 That the foregoing proposed amendment to the Constitution
19 of the United States is hereby ratified and consented to by
20 the State of Iowa and the General Assembly thereof; and

21 BE IT FURTHER RESOLVED, That the Governor of the State of
22 Iowa forward certified copies of this resolution over the seal
23 of the State of Iowa to the Archivist of the United States,
24 and to the presiding officers of the Senate and House of
25 Representatives of the United States.

26 BE IT FURTHER RESOLVED, That the General Assembly of the
27 State of Iowa urges the State Legislatures of those States
28 which have not done so to follow Iowa in ratifying the
29 proposed amendment and that, as an incentive for them to do
30 so, copies of the foregoing preamble and resolution be
31 transmitted to those State Legislatures.

32 EXPLANATION

33 This resolution ratifies a proposed amendment to the United
34 States Constitution providing that a law varying the
35 compensation of Congress not take effect until an election

1 intervenes.

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HOUSE JOINT RESOLUTION

A JOINT RESOLUTION

RATIFYING A PROPOSED AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES TO PROVIDE FOR A DELAY IN AN INCREASE IN COMPENSATION TO MEMBERS OF CONGRESS UNTIL AN INTERVENING ELECTION OF REPRESENTATIVES HAS OCCURRED.

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

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

"(An Article) in addition to, and Amendment of the Constitution of the United States of America, proposed by Congress, and ratified by the legislatures of the several States, pursuant to the fifth Article of the original Constitution

"ARTICLE

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

WHEREAS, Article V of the Constitution of the United States allows the ratification of the proposed amendment to the United States Constitution by the General Assembly of the

state of Iowa; and

WHEREAS, The proposed amendment to the Constitution of the United States has already been ratified by the Legislatures of the following States in the years indicated: Maryland in 1789; North Carolina in 1789; South Carolina in 1790; Delaware in 1790; Vermont in 1791; Virginia in 1791; Ohio in 1873; Wyoming in 1978; Maine in 1983; Colorado in 1984; South Dakota in 1985; New Hampshire in 1985; Arizona in 1985; Tennessee in 1985; Oklahoma in 1985; New Mexico in 1986; Indiana in 1986; Utah in 1986; Montana in 1987; Connecticut in 1987; Arkansas in 1987; Wisconsin in 1987; Georgia in 1988; West Virginia in 1988; and Louisiana in 1988; and

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

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

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

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

BE IT FURTHER RESOLVED, that the Governor of the State of Iowa forward certified copies of this resolution over the seal of the State of Iowa to the Archivist of the United States, and to the presiding officers of the Senate and House of Representatives of the United States.

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

DONALD D. AVENSON
Speaker of the House

JO ANN ZIMMERMAN
President of the Senate

I hereby certify that this bill originated in the House and is known as House Joint Resolution 7, Seventy-third General Assembly.

JOSEPH O'HERN
Chief Clerk of the House