

HOUSE JOINT RESOLUTION

RATIFYING A PROPOSED AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES RELATIVE TO THE COMPENSATION OF MEMBERS OF THE UNITED STATES CONGRESS AND WHEN ANY INCREASES THEREIN SHALL TAKE EFFECT.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE SEVENTY-SIXTH GENERAL ASSEMBLY OF THE STATE OF ARKANSAS AND BY THE SENATE, A MAJORITY OF ALL MEMBERS ELECTED TO EACH HOUSE AGREEING THERETO:

SECTION 1. That the Legislature of the State of Arkansas pursuant to Article V of the United States Constitution, hereby ratifies an amendment to the Constitution of the United States proposed by resolution of the First Congress of the United States in New York, New York, in September 25, 1789, which reads as follows, to wit:

"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,...which [Article], when ratified by three fourths of the 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 the second...No law, varying the compensation for the services of the Senators and Representatives, shall take effect, until an election of Representatives shall have intervened."

SECTION 2. That the Legislature of the State of Arkansas acknowledges that the above-quoted article of amendment to the United States Constitution has already been ratified by the legislatures of the following states on the dates indicated, to wit: Maryland on December 19, 1789; North Carolina on

December 22, 1789; South Carolina on January 19, 1790; Delaware on January 28, 1790; Vermont on November 3, 1791; Virginia on December 15, 1791; Ohio on May 6, 1873 [70 Ohio Laws 409-10]; Wyoming on March 3, 1978 [124 Cong. Rec. 7910]; Maine on April 27, 1983 [130 Cong. Rec. H9097, S11017]; Colorado on April 18, 1984 [131 Cong. Rec. S17687; 132 Cong. Rec. H6446]; South Dakota on February 21, 1985 [131 Cong. Rec. H971, S3306]; New Hampshire on March 7, 1985 [131 Cong. Rec. H1378, S3597]; Arizona on April 3, 1985 [131 Cong. Rec. H2060, S4750]; Tennessee on May 23, 1985 [131 Cong. Rec. H6672, S10797, S13504]; Oklahoma on July 10, 1985 [131 Cong. Rec. H7263, S13504]; New Mexico on February 13, 1986 [132 Cong. Rec. H827, S2207-8, S2300]; Indiana on February 19, 1986 [132 Cong. Rec. H1634, S4663]; and Utah on February 25, 1986 [132 Cong. Rec. S6750, S7578]; as well as by the Senate of the State of Georgia on February 2, 1984 and on January 21, 1985.

SECTION 3. That the Legislature of the State of Arkansas acknowledges that the above-quoted article of amendment to the United States Constitution may still be ratified by states' legislatures as a result of the ruling by the United States Supreme Court in the landmark case of *Coleman v. Miller*, [307 U.S. 433 (1939)] in which it was opined that Congress is the final arbiter on the question of whether too much time has elapsed between Congress' submission of an amendment and the most recent state legislature's ratification of same if Congress did not specify a deadline on the amendment's consideration.

SECTION 4. That the Secretary of State shall notify the Archivist of the United States (pursuant to 1 U.S.C. 106b and 112; as amended by PL 98-497 [98 Stat. 2291]) of the action of the 76th General Assembly of the State of Arkansas, Regular Session, by sending to him a copy of this resolution.

SECTION 5. That the Secretary of State shall also send copies of this resolution to both United States Senators from Arkansas, all four (4) United States Representatives from Arkansas, the Vice-President of the United States and to the Speaker of the United States House of Representatives with the request that it be printed in full in the Congressional Record.