

By: Representatives Chism, Moore (60th),  
Nicholson, Robinson (84th)

To: Rules

HOUSE CONCURRENT RESOLUTION NO. 68

1 A CONCURRENT RESOLUTION POST-RATIFYING THE CONGRESSIONAL  
2 COMPENSATION AMENDMENT OF 1789 TO THE CONSTITUTION OF THE UNITED  
3 STATES REQUIRING THAT AN ELECTION OF THE UNITED STATES HOUSE OF  
4 REPRESENTATIVES INTERVENE BEFORE A VARIANCE IN THE COMPENSATION OF  
5 MEMBERS OF THE UNITED STATES CONGRESS MAY TAKE EFFECT.

6 WHEREAS, Article V of the Constitution of the United States  
7 provides that amendments proposed to that document by the United  
8 States Congress shall be valid when ratified by the legislatures  
9 of three-fourths of the several states or by conventions in  
10 three-fourths of the states; and

11 WHEREAS, the First Congress of the United States in New York,  
12 New York, at a session begun March 4, 1789, proposed by a  
13 resolution which was adopted by a vote of two-thirds of both  
14 houses, that the following amendment to the Constitution of the  
15 United States be submitted to the legislatures of the several  
16 states for ratification:

17 "Congressional Compensation Amendment of 1789--No law,  
18 varying the compensation for the services of the [U.S.] Senators  
19 and [U.S.] Representatives, shall take effect, until an election  
20 of [U.S.] Representatives shall have intervened."; and

21 WHEREAS, the Legislature of the State of Mississippi  
22 acknowledges that the above-quoted Congressional Compensation  
23 Amendment of 1789 to the United States Constitution has already  
24 been ratified by the legislatures of the following states on the  
25 dates indicated, to wit:

26 Alabama, May 5, 1992; Alaska, May 6, 1989; Arizona, April 3,  
27 1985; Arkansas, March 6, 1987; California, June 26, 1992;  
28 Colorado, April 22, 1984; Connecticut, May 13, 1987; Delaware,



29 January 28, 1790; Florida, May 31, 1990; Georgia, February 2,  
30 1988; Hawaii, April 29, 1994; Idaho, March 23, 1989; Illinois, May  
31 12, 1992; Indiana, February 24, 1986; Iowa, February 9, 1989;  
32 Kansas, April 5, 1990; Kentucky, June 27, 1792, and again, March  
33 14, 1996; Louisiana, July 7, 1988; Maine, April 27, 1983;  
34 Maryland, December 19, 1789; Michigan, May 7, 1992; Minnesota, May  
35 22, 1989; Missouri, May 5, 1992; Montana, March 17, 1987; Nevada,  
36 April 26, 1989; New Hampshire, March 7, 1985; New Jersey, May 7,  
37 1992; New Mexico, February 14, 1986; North Carolina, December 22,  
38 1789, and again, June 30, 1989; North Dakota, March 25, 1991;  
39 Ohio, May 6, 1873; Oklahoma, July 10, 1985; Oregon, May 19, 1989;  
40 Rhode Island, June 10, 1993; South Carolina, January 19, 1790;  
41 South Dakota, February 21, 1985; Tennessee, May 23, 1985; Texas,  
42 May 25, 1989; Utah, February 25, 1986; Vermont, November 3, 1791;  
43 Virginia, December 15, 1791; Washington, April 6, 1995; West  
44 Virginia, March 10, 1988; Wisconsin, July 15, 1987; and Wyoming,  
45 March 6, 1978; and

46 WHEREAS, the Legislature of the State of Mississippi further  
47 acknowledges that the Congressional Compensation Amendment of 1789  
48 became part of the United States Constitution during the p.m.  
49 hours of May 5, 1992, when the Legislature of the State of Alabama  
50 became, at that time, the thirty-eighth state legislature to  
51 approve it; and

52 WHEREAS, the Legislature of the State of Mississippi further  
53 acknowledges that the Archivist of the United States on May 18,  
54 1992, issued a proclamation published in the *Federal Register*  
55 concluding that the Congressional Compensation Amendment of 1789  
56 had indeed been incorporated into the United States Constitution  
57 and that on May 20, 1992, both the United States Senate and the  
58 United States House of Representatives, by roll-call votes, did  
59 adopt resolutions in agreement with that conclusion; and

60 WHEREAS, although the Legislature of the State of Mississippi  
61 is fully cognizant that the Congressional Compensation Amendment



62 of 1789 is already officially a part of the United States  
63 Constitution, it is important nevertheless that Mississippi place  
64 its stamp of approval upon the amendment as have forty-five other  
65 sovereign states:

66 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF  
67 REPRESENTATIVES OF THE STATE OF MISSISSIPPI, THE SENATE CONCURRING  
68 THEREIN, That the Congressional Compensation Amendment of 1789 to  
69 the Constitution of the United States, quoted above and  
70 transmitted by resolution of the First Congress be, and the same  
71 hereby is, post-ratified by the Legislature of the State of  
72 Mississippi during its 2003 Regular Session.

73 BE IT FURTHER RESOLVED, That the Secretary of State of the  
74 State of Mississippi be respectfully requested to transmit  
75 properly attested copies of this concurrent resolution to the  
76 Archivist of the United States; to the Vice President of the  
77 United States, as presiding officer of the United States Senate;  
78 to the Speaker of the United States House of Representatives; to  
79 both United States Senators and to all four United States  
80 Representatives from Mississippi with the request that this  
81 concurrent resolution be reproduced in full in the *Congressional*  
82 *Record*.

