

By: Klick

H.J.R. No. 78

A JOINT RESOLUTION

1 rescinding the 1901 and 1911 applications to the United States  
2 Congress to call a national convention under Article V of the United  
3 States Constitution for the direct election of U.S. Senators.

4 WHEREAS, In the year 1901, the 27th Texas Legislature adopted  
5 House Concurrent Resolution No. 22, applying to the United States  
6 Congress, pursuant to Article V of the United States Constitution,  
7 to call a convention to propose an amendment to that Constitution  
8 which would provide that members of the United States Senate be  
9 elected directly by the voters of each state rather than be  
10 appointed by the legislatures thereof; and

11 WHEREAS, In the year 1911, the 32nd Texas Legislature adopted  
12 House Concurrent Resolution No. 11, doing virtually the same thing;  
13 and

14 WHEREAS, In the year 1912, the 62nd United States Congress  
15 did approve House Joint Resolution No. 39, proposing to the  
16 nation's state legislatures for ratification what we know today as  
17 the Federal Constitution's Amendment XVII which--since its  
18 ratification more than a century ago in 1913--has indeed provided  
19 for election of United States Senators directly by the people; and

20 WHEREAS, The 33rd Texas Legislature, via adoption of its  
21 House Joint Resolution No. 5, in 1913, did indeed ratify Amendment  
22 XVII; and

23 WHEREAS, Since the purpose for which the 27th and 32nd Texas  
24 Legislatures' aforementioned requests have been fulfilled by

1 alternate means--without an Article V Convention ever actually  
2 having been triggered on the specific topic of directly electing  
3 United States Senators--there remains no need to retain these  
4 still-lingering Texas requests that Congress call such a convention  
5 on that particular subject; now, therefore, be it

6       RESOLVED, By the 85th Legislature of the State of Texas,  
7 Regular Session, 2017, that House Concurrent Resolution No. 22 of  
8 the 27th Legislature--as well as House Concurrent Resolution No. 11  
9 of the 32nd Legislature--be hereby rescinded, repealed, voided,  
10 canceled and nullified; and, be it further

11       RESOLVED, That, in a manner which would furnish confirmation  
12 of delivery and tracking while en route, the Texas Secretary of  
13 State shall transmit properly certified copies of this joint  
14 resolution of rescission, pursuant to the Standing Rules of the  
15 United States Senate (namely, Rule VII, paragraphs 4, 5, and 6), to  
16 the Vice-President of the United States (in his capacity as  
17 presiding officer of the United States Senate and addressed to him  
18 in Suite S-212 of the United States Capitol Building); to the  
19 Secretary and Parliamentarian of the United States Senate; and to  
20 both United States Senators representing Texas; accompanied by a  
21 cover letter to each addressee drawing attention to the fact that it  
22 is the 85th Texas Legislature's courteous, yet firm, request that  
23 the full and complete verbatim text of this joint resolution be duly  
24 published in the United States Senate's portion of the  
25 *Congressional Record* as an official memorial to the United States  
26 Senate, and that this joint resolution be referred to whichever  
27 committee or committees of the United States Senate that would have

1 appropriate jurisdiction in this matter; and, be it further

2       RESOLVED, That, in a manner which would furnish confirmation  
3 of delivery and tracking while en route, the Texas Secretary of  
4 State shall likewise transmit properly certified copies of this  
5 joint resolution of rescission, pursuant to the Rules of the United  
6 States House of Representatives (namely, Rule XII, clauses 3 and  
7 7), to the Speaker, Clerk and Parliamentarian of the United States  
8 House of Representatives; and to all members of the United States  
9 House of Representatives who represent districts in Texas; likewise  
10 accompanied by a cover letter to each addressee drawing attention  
11 to the fact that it is the 85th Legislature's courteous, yet firm,  
12 request that the substance of this joint resolution be accurately  
13 summarized in the United States House of Representatives' portion  
14 of the *Congressional Record* as an official memorial to the United  
15 States House of Representatives, and that this joint resolution be  
16 referred to whichever committee or committees of the United States  
17 House of Representatives that would have appropriate jurisdiction  
18 in this matter.