

# S. J. RES. 185

---

## IN THE SENATE OF THE UNITED STATES

JULY 23, 1964

Mr. DIRKSEN (for himself, Mr. ALLOTT, Mr. BENNETT, Mr. CARLSON, Mr. COTTON, Mr. DOMINICK, Mr. EASTLAND, Mr. GOLDWATER, Mr. HICKENLOOPER, Mr. HOLLAND, Mr. HRUSKA, Mr. JORDAN of Idaho, Mr. LAUSCHE, Mr. McCLELLAN, Mr. MECHEM, Mr. MILLER, Mr. PEARSON, Mr. SALTONSTALL, Mr. SIMPSON, Mr. SMATHERS, Mr. STENNIS, Mr. TOWER, Mr. WILLIAMS of Delaware, and Mr. YOUNG of North Dakota) introduced the following joint resolution; which was read twice and referred to the Committee on the Judiciary

---

## JOINT RESOLUTION

Proposing an amendment to the Constitution to reserve to each State exclusive power to determine the composition of its legislature and the apportionment of the membership thereof.

1        *Resolved by the Senate and House of Representatives of*  
2 *the United States of America in Congress assembled (two-*  
3 *thirds of each House concurring therein), That the following*  
4 *article is proposed as an amendment to the Constitution of*  
5 *the United States, which shall be valid to all intents and pur-*  
6 *poses as part of the Constitution when ratified by the legis-*  
7 *latures of three-fourths of the several States:*

## 1 "ARTICLE —

2 "SECTION 1. Except as otherwise provided by this  
3 article the citizens of each State shall have exclusive power  
4 to determine the composition of its legislature and the appor-  
5 tionment of the membership thereof, and such power shall  
6 not be infringed nor the exercise thereof be reviewed in an  
7 original action or on appeal or controlled by the United  
8 States or any branch of the Government thereof. The mem-  
9 bership of at least one house of the legislature of each State  
10 shall be apportioned as nearly equally as possible according  
11 to the number of persons determined by the enumeration  
12 provided in article I, section 2, or if there is only one house  
13 of the legislature then upon such combination of population  
14 and area as the citizens of the State shall determine.

15 "SEC. 2. This article shall be inoperative unless it shall  
16 have been ratified as an amendment to the Constitution by  
17 the legislatures of three-fourths of the States within seven  
18 years from the date of its submission to the States by the  
19 Congress."