

By Senator Berman

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Senate Memorial

A memorial to the Congress of the United States, urging Congress to propose to the states an amendment to the Constitution of the United States which would increase the number of United States Senators to three in any state that has a population of more than 6 million as determined by the federal census.

WHEREAS, Article V of the Constitution of the United States authorizes Congress to propose amendments to the Constitution of the United States which shall become valid when ratified by the states, and

WHEREAS, the United States Senate, as set forth in the Constitution, consists of two members from each state, regardless of the population of the state, and

WHEREAS, there are currently 50 states in the United States ever since the admission of Alaska and Hawaii in 1959, which raised the number of United States Senators to the present total of 100, from 96, and

WHEREAS, the system of giving each state two senators was devised by the founding fathers to protect small states from the domination of larger states, and

WHEREAS, at the time the United States Constitution was drafted, there was a real disparity between the populations of large states, such as Virginia, and small states, such as Delaware and Rhode Island, but that disparity, at its greatest, was only on the order of 10 to 1, and

WHEREAS, the population of larger states has since grown to numbers unimaginable to our founding fathers, headed by

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30 California, with an estimated population of 40 million people,
31 followed by Texas, with a population of nearly 30 million
32 people, and Florida, now ranked the third most populous state,
33 with nearly 22 million people, and

34 WHEREAS, the smallest states by population, Wyoming and
35 Vermont, have populations barely in excess of half a million
36 people, less than the current population of the District of
37 Columbia, and

38 WHEREAS, the population disparity between the largest and
39 smallest states has grown from a proportion of 10 to 1 to a
40 ratio that now is closer to 100 to 1, something undreamed of by
41 the founding fathers, and

42 WHEREAS, as a result of this unprecedented disparity, the
43 United States Senate has become extremely malapportioned to the
44 degree that soon 30 percent of the country's population will
45 elect 70 percent of the members of the United States Senate,
46 while conversely 70 percent of the country's population will
47 elect only 30 percent of the members of the United States
48 Senate, a disparity fraught with unhappy consequences for the
49 vast majority of the country's population, which will be almost
50 powerless to address many pressing issues for the overwhelming
51 number of urban and suburban residents of the United States, and

52 WHEREAS, were this system not provided for directly in the
53 United States Constitution, it would be manifestly
54 unconstitutional for reasons including that the system would be
55 a denial of equal protection, and of the one person, one vote
56 principle prevalent in all other elections, and

57 WHEREAS, there is a need to address this growing imbalance
58 of electoral power, while still preserving the principle of

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59 protecting the rights of smaller states, and

60 WHEREAS, 19 states, including Maryland, Georgia, North
61 Carolina, Arizona, Tennessee, and Indiana, currently have
62 populations in excess of 6 million people, approximately 10
63 times the population of that of the smallest states, and

64 WHEREAS, one method of addressing the current imbalance in
65 a modest way, while giving an increased voice to larger states
66 but not denying any current representation to smaller states and
67 not having any appreciable partisan effect on current levels of
68 representation and retaining the basic formula of having states
69 receive allocations of senators not directly based on relative
70 populations, as is done with the United States House of
71 Representatives, would be to grant each state with a population
72 in excess of 6 million people an additional senate seat, so
73 those states would have three senators, while all other states
74 would continue to have two senators, and

75 WHEREAS, such a method would result in a total of 120
76 United States Senators, once the 20th state crosses the 6
77 million population threshold, which would be a modest increase
78 but still be a workable number of senators, and would still
79 provide ample protection for smaller states from being dominated
80 by larger states, and

81 WHEREAS, Congress should pass this proposal for an
82 amendment to the Constitution of the United States as a modest
83 attempt to address a very real, and ever growing, problem, and
84 submit this amendment to the states for ratification, NOW,
85 THEREFORE,

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87 Be It Resolved by the Legislature of the State of Florida:

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89 That Congress is respectfully petitioned to propose to the
90 states an amendment to the Constitution of the United States
91 which would increase the number of United States Senators to
92 three in any state that has a population of more than 6 million
93 as determined by the federal census.

94 BE IT FURTHER RESOLVED that the Secretary of State dispatch
95 copies of this memorial to the President of the United States,
96 the President of the United States Senate, the Speaker of the
97 United States House of Representatives, and each member of the
98 Florida delegation to the United States Congress.