

By Senator Torres

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1 Senate Memorial

2 A memorial to the Congress of the United States,
3 urging Congress to propose to the states an amendment
4 to the Constitution of the United States which would
5 increase the number of United States Senators to three
6 in any state that has a population of more than 6
7 million as determined by the federal census.
8

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

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

16 WHEREAS, since the admission of Alaska and Hawaii in 1959,
17 which raised the number of states in the United States to 50,
18 the number of United States Senators has been 100, and

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

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

27 WHEREAS, the population of larger states has since grown to
28 numbers unimaginable to our founding fathers, headed by
29 California, with an estimated population of 40 million people,

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

33 WHEREAS, the smallest states by population, Wyoming and
34 Vermont, have populations barely in excess of 500,000 people,
35 less than the current population of the District of Columbia,
36 or, as Bill Maher has said, "Why do we need two Dakotas?" and

37 WHEREAS, the population disparity between the largest and
38 smallest states has grown from a proportion of about 10 to 1 to
39 a ratio that now is closer to 100 to 1, and

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

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

55 WHEREAS, there is a need to address this growing imbalance
56 of electoral power, while still preserving the principle of
57 protecting the rights of smaller states, and

58 WHEREAS, 19 states, including Maryland, Georgia, North

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59 Carolina, Arizona, Tennessee, and Indiana, currently have
60 populations in excess of 6 million people, approximately 10
61 times the population of the smallest states, and

62 WHEREAS, one method of addressing the current imbalance in
63 a modest way, while giving an increased voice to larger states
64 without denying current representation to smaller states and not
65 having any appreciable partisan effect on current levels of
66 representation and retaining the basic formula of having states
67 receive allocations of senators not directly based on relative
68 populations, as is done with the United States House of
69 Representatives, would be to grant each state with a population
70 in excess of 6 million people an additional senate seat, so
71 those states would have three senators, while all other states
72 would continue to have two senators, and

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

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

84
85 Be It Resolved by the Legislature of the State of Florida:

86
87 That Congress is respectfully petitioned to propose to the

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88 states an amendment to the Constitution of the United States
89 which would increase the number of United States Senators to
90 three in any state that has a population of more than 6 million
91 as determined by the federal census.

92 BE IT FURTHER RESOLVED that copies of this memorial be
93 dispatched to the President of the United States, to the
94 President of the United States Senate, to the Speaker of the
95 United States House of Representatives, and to each member of
96 the Florida delegation to the United States Congress.