

## RESOLUTIONS

### UNITED STATES CONSTITUTION—BICAMERAL LEGISLATURES—APPORTIONMENT

S. C. R. No. 24

WHEREAS, The Supreme Court of the United States has ruled that membership in both houses of a bicameral State Legislature must be apportioned according to population and has thus asserted federal judicial authority over the basic structure of government in the various states; and

WHEREAS, This rule denies to the people of the respective states the right to establish their legislatures upon the same pattern of representation deemed advantageous for the Congress of the United States and provided by the federal Constitution; and

WHEREAS, This action of the Supreme Court goes so far as to restrict the ability of the citizens of the respective states to designate the manner in which they shall be represented in their respective legislatures, thereby depriving the people of their right to determine how they shall be governed; and

WHEREAS, The implications of this action by the Supreme Court raised serious doubts as to the legality of the present form of the governing bodies of many subordinate units of government within the states; and

WHEREAS, The 17th Biennial General Assembly of the States, meeting at Chicago, Illinois, December 3, 1964, has adopted a resolution urging that the Congress propose an amendment to the United States Constitution which would provide that (1) any State which has a bicameral legislature may utilize factors other than population in apportioning one house of its legislature if the plan of apportionment is specifically approved by vote of the electorate of the State, and (2) any state may determine how governing bodies of its subordinate units shall be apportioned; and

WHEREAS, The 17th Biennial General Assembly of the States has proposed that the legislatures of the several states take immediate and uniform action, in accordance with Article V of the Constitution of the United States, to apply to the Congress to convene a Constitutional Convention for the purpose of proposing an amendment to the Constitution as herein set forth; now, therefore, be it

RESOLVED, By the Senate of the State of Texas, the House of Representatives concurring, that the Congress of the United States is hereby memorialized to call a convention for the purpose of proposing the following Article as an amendment to the Constitution of the United States:

“Article ———

“Section 1. Nothing in this Constitution shall prohibit any state which shall have a bicameral Legislature from apportioning the membership of one house of such Legislature on factors other than population, provided that the plan of such apportionment shall have been submitted to and approved by the vote of the electorate of that state.

“Sec. 2. Nothing in this Constitution shall restrict or limit a state in its determination of how membership of governing bodies of its subordinate units shall be apportioned.

“Sec. 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-

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fourths of the several states within seven years from the date of its submission to the states by the Congress."

BE IT FURTHER RESOLVED, That if Congress shall have proposed an amendment to the Constitution identical with that contained in this resolution prior to June 1, 1965, this application for a convention shall no longer be of any force or effect.

BE IT FURTHER RESOLVED, That a duly attested copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States and to each member of the Congress from this State.

Adopted by the Senate on February 2, 1965; adopted by the House on February 4, 1965: Yeas 112, Nays 33.

Approved Feb. 11, 1965.

Filed with the Secretary of State, Feb. 12, 1965.

## FRANKLIN COUNTY—DERIVATION OF NAME

S. C. R. No. 25

WHEREAS, The Act of the 14th Legislature of 1875, creating Franklin County, does not mention the name of any person for whom the county was named; and

WHEREAS, It is generally accepted by the people of Franklin County and historians that it was named for Judge Benjamin C. Franklin; and

WHEREAS, The Franklin County Historical Survey Committee, the Franklin County Commissioners Court and the Texas State Historical Survey Committee are desirous of recording the derivation of the county name in the annals of the State Legislature; and

WHEREAS, Judge Benjamin C. Franklin was a hero of the Battle of San Jacinto, a district judge of the Republic of Texas and a member of the House of Representatives of the 3rd, 5th and 8th Legislatures; now, therefore, be it

RESOLVED, By the Senate of the State of Texas, the House of Representatives concurring, that Judge Benjamin C. Franklin is hereby designated as the person for whom Franklin County is named.

Adopted by the Senate on February 2, 1965; adopted by the House on February 3, 1965.

Approved Feb. 11, 1965.

Filed with the Secretary of State, Feb. 12, 1965.

## COLLEGES AND UNIVERSITIES—COMMITTEE ON FACULTY COMPENSATION

S. C. R. No. 26

WHEREAS, There exists a need for continuing improvement in the instructional levels of our state colleges and universities to meet the challenges of a rapidly changing society; and

WHEREAS, The growing population and economy of Texas places increased demands on the state's educational institutions and their faculties; and

WHEREAS, In recruiting and retaining the most capable, qualified, and effective teaching personnel, the state colleges and universities must