

2016 First Extraordinary Session

SENATE RESOLUTION NO. 11

BY SENATOR PETERSON

CONGRESS. Memorializes Congress to confirm a Supreme Court Justice to fill the late Justice Antonin Scalia's seat upon receiving a nomination from President Barack Obama.

1 A RESOLUTION

2 To memorialize the Congress of the United States to confirm a United States Supreme Court  
3 justice to fill the late Justice Antonin Scalia's seat upon receiving a nomination from  
4 President Barack Obama.

5 WHEREAS, the United States of America was founded on the precepts of freedom,  
6 liberty, justice, and diversity; and

7 WHEREAS, a primary mission of the United States Congress is to ensure that the  
8 judiciary maintains integrity; and

9 WHEREAS, a key factor in achieving such a goal is to ensure that the Supreme Court  
10 has diverse representation of all Americans; and

11 WHEREAS, Article II, Sec. 2 of the United States Constitution grants the president  
12 of the United States of America certain powers as follows:

13 "He shall have Power, by and with the Advice and Consent of the Senate, to make  
14 Treaties, provided two thirds of the Senators present concur; and he shall nominate, and by  
15 and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public  
16 Ministers and Consuls, Judges of the Supreme Court, and all other Officers of the United  
17 States, whose Appointments are not herein otherwise provided for, and which shall be  
18 established by Law: but the Congress may by Law vest the Appointment of such inferior

1 officers, as they think proper, in the president alone, in the Courts of Law, or in the Heads  
2 of Departments"; and

3 WHEREAS, by virtue of the United States Constitution, it is the duty and  
4 responsibility of the president of the United States of America to nominate judges to the  
5 Supreme Court of the United States; and

6 WHEREAS, it is incumbent upon the United States Senate to confirm the nominee  
7 submitted by President Barack Obama to replace Justice Scalia; and

8 WHEREAS, it is our hope that President Barack Obama will quickly nominate and  
9 the United States Senate will timely confirm a nominee to fill the vacancy in the United  
10 States Supreme Court created by the untimely death of Justice Scalia; and

11 WHEREAS, sincere condolences are extended to Justice Scalia's family and  
12 colleagues; and

13 WHEREAS, Justice Scalia was the longest serving member on the current court,  
14 having started his time on the bench in September 1986; and

15 WHEREAS, he was approved by the Senate by a vote of 98-0; and

16 WHEREAS, Justice Scalia was known as one of the two most conservative members  
17 of the court, alongside Justice Clarence Thomas; and

18 WHEREAS, Justice Scalia helped bring the originalist interpretation of the  
19 Constitution into mainstream discussion; and

20 WHEREAS, regardless of whether one agrees or disagrees with his opinions, one  
21 thing is certain: thirty years of Supreme Court service is no small feat; and

22 WHEREAS, Justice Scalia once stated, "If you're going to be a good and faithful  
23 judge, you have to resign yourself to the fact that you're not always going to like the  
24 conclusions you reach. If you like them all the time, you're probably doing something  
25 wrong"; and

26 WHEREAS, since 1900, the United States Senate has voted on eight Supreme Court  
27 nominees during an election year and six of those were confirmed; and

28 WHEREAS, since 1975, it has taken only sixty-seven days on average to confirm a  
29 president's nominee, and every Supreme Court nominee in history has received a vote within  
30 one hundred twenty-five days of recommendation.

1           THEREFORE, BE IT RESOLVED that the Legislature of Louisiana memorializes  
2 the Congress of the United States to act in the interest of justice and the balance and  
3 separation of power, and it is imperative that Congress act expeditiously to confirm a new  
4 member to the United States Supreme Court upon receiving recommendation from President  
5 Barack Obama.

6           BE IT FURTHER RESOLVED that a copy of this Resolution shall be transmitted  
7 to the President Pro Tempore of the United States Senate, Orrin Hatch, the Speaker of the  
8 United States House of Representatives, Paul Ryan, and to each member of the Louisiana  
9 delegation to the United States Congress.

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The original instrument and the following digest, which constitutes no part  
of the legislative instrument, were prepared by Nancy Vicknair.

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DIGEST

SR 11 Original

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