

HOUSE JOINT RESOLUTION NO. HJ0001

Convention for proposing constitutional amendments.

Sponsored by: Representative(s) Winters, Allen, Laursen and Lindholm and Senator(s) Peterson

A JOINT RESOLUTION

for

1 A JOINT RESOLUTION requesting Congress to call a convention  
2 for proposing amendments to the United States Constitution  
3 as specified.

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5 WHEREAS, the founders of the Constitution of the United  
6 States empowered state legislators to be guardians of  
7 liberty against future abuses of power by the federal  
8 government; and

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10 WHEREAS, the federal government has created a crushing  
11 national debt through improper and imprudent spending; and

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13 WHEREAS, the federal government has invaded the legitimate  
14 roles of the states through the manipulative process of  
15 federal mandates, most of which are unfunded; and

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1 WHEREAS, the federal government has ceased to live under a  
2 proper interpretation of the Constitution of the United  
3 States; and

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5 WHEREAS, it is the solemn duty of the states to protect the  
6 liberty of our people, particularly for the generations to  
7 come, by proposing amendments to the Constitution of the  
8 United States through a convention of the states under  
9 article V for the purpose of restraining these and related  
10 abuses of power.

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12 *NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE*  
13 *LEGISLATURE OF THE STATE OF WYOMING:*

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15 **Section 1.** The legislature of the State of Wyoming  
16 hereby applies to Congress, under the provisions of Article  
17 V of the Constitution of the United States, for the calling  
18 of a convention of the states limited to proposing  
19 amendments to the Constitution of the United States that  
20 impose fiscal restraints on the federal government, limit  
21 the power and jurisdiction of the federal government and  
22 limit the terms of office for its officials and for members  
23 of Congress.

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**Section 2.**

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(a) The Legislature of the State of Wyoming adopts this application expressly subject to the following reservations, understandings and declarations:

(i) An application to the Congress of the United States to call a convention of the states pursuant to Article V of the United States Constitution to propose amendments to the Constitution confers no power to Congress other than the power to call the convention. The power of Congress to exercise this ministerial duty consists solely of the authority to name a reasonable time and place for the initial meeting of a convention;

(ii) Congress shall perform its ministerial duty of calling an amendment convention of the states only upon the receipt of applications for an amendment convention for the substantially same purpose as this application from two-thirds (2/3) of the legislatures of the several states;

1           (iii) Congress does not have the power or  
2 authority to determine any rules for the governing of an  
3 amendment convention of the states called pursuant to  
4 Article V of the United States Constitution. Congress does  
5 not have the power to set the number of delegates to be  
6 sent by any state to a convention nor does it have the  
7 power to name delegates to a convention. The power to name  
8 delegates remains exclusively within the authority of the  
9 legislatures of the several states;

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11           (iv) By definition, a convention of the states  
12 to propose amendments to the Constitution means that states  
13 shall vote on the basis of one (1) state, one (1) vote;

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15           (v) A convention of the states to propose  
16 amendments to the Constitution convened pursuant to this  
17 application shall be limited to consideration of the topics  
18 specified herein and no other. This application is made  
19 with the express understanding that an amendment that in  
20 any way seeks to amend, modify or repeal any provision of  
21 the Bill of Rights shall not be authorized for  
22 consideration in any manner. This application shall be void

1 ab initio if ever used in any manner to propose or consider  
2 any change to any provision of the Bill of Rights;

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4 (vi) Pursuant to Article V of the United States  
5 Constitution, Congress may determine whether proposed  
6 amendments shall be ratified by the legislatures of the  
7 several states or by special state ratification  
8 conventions. The Legislature of the State of Wyoming  
9 recommends that Congress select ratification by the  
10 legislatures of the several states; and

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12 (vii) The legislature of the State of Wyoming  
13 may provide further instructions to its delegates and may  
14 recall its delegates at any time for a breach of a duty or  
15 a violation of the instructions provided to the delegates.

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17 **Section 3.** This application constitutes a continuing  
18 application in accordance with Article V of the  
19 Constitution of the United States until the legislatures of  
20 at least two-thirds (2/3) of the several states have made  
21 applications on the same subject.

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1           **Section 4.** That the Secretary of State of Wyoming  
2 transmit copies of this resolution to the President of the  
3 United States, to the President of the Senate and the  
4 Speaker of the House of Representatives of the United  
5 States Congress, to the Wyoming Congressional Delegation  
6 and to the presiding officers of each of the legislative  
7 houses in the several states, requesting their cooperation.

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(END)