

SENATE JOINT RESOLUTION NO. SJ0005

Countermand amendment.

Sponsored by: Senator(s) Peterson, Agar, Case, Hicks, Meier and Perkins and Representative(s) Biteman, Lindholm and Winters

A JOINT RESOLUTION

for

1 A JOINT RESOLUTION making an application to the United
2 States Congress to call an Article V convention of the
3 several states for the purpose of proposing the state
4 legislatures' pre-approved single issue countermand
5 amendment to the United States Constitution.

6

7 WHEREAS, Article IV, Section 4 of the Constitution of the
8 United States guarantees to every state a republican form
9 of government that gives each state equal standing when
10 calling for an Article V amendment convention; and

11

12 WHEREAS, Article V of the Constitution of the United States
13 reserves to the state legislatures the right to apply for
14 an amendment convention for the purpose of proposing
15 amendments to the United States Constitution when Congress,

1 the courts or the executive branch refuse to address an
2 egregious wrong suffered by the people; and

3

4 WHEREAS, the state legislatures alone have the authority to
5 limit the agenda and authority of delegates and alternates
6 they send to an Article V convention. This authority does
7 not reside in the United States Congress, nor in the
8 federal or state courts, nor in the federal or state
9 executive branches; and

10

11 WHEREAS, Congress, under Article V of the United States
12 Constitution, is required to call for an amendment
13 convention as directed and defined by the state
14 legislatures of the several states.

15

16 *NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE*
17 *LEGISLATURE OF THE STATE OF WYOMING:*

18

19 **Section 1.** That the Wyoming State Legislature hereby
20 applies to the United States Congress, under the provisions
21 of Article V of the United States Constitution, to call a
22 single-issue countermand amendment convention for the
23 purpose of deciding whether the pre-approved proposed

1 countermand amendment should be returned to the state
2 legislatures for ratification.

3

4 **Section 2.** That the application in section 1 of this
5 resolution constitutes a continuing application in
6 accordance with Article V of the Constitution of the United
7 States until the legislatures of at least two-thirds (2/3)
8 of the several states have made identical or substantially
9 similar applications.

10

11 **Section 3.** That Congress is directed to convene the
12 countermand amendment convention within sixty (60) days
13 from the date it receives the same or similar application
14 from two-thirds (2/3) of the several states.

15

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 the legislatures of each
7 of the other forty-nine (49) states, requesting their
8 cooperation with the purposes of this resolution.

9

10

(END)