

## SENATE JOINT RESOLUTION NO. SJ0002

Convention of states-2.

Sponsored by: Senator(s) Biteman, Case, Cooper, Driskill,  
Hicks and Wasserburger and Representative(s)  
Barlow, Hallinan, Haroldson, Laursen, Olsen,  
Ottman, Rodriguez-Williams, Simpson and  
Sweeney

## A JOINT RESOLUTION

for

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

4

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

8

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

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1 WHEREAS, the federal government has invaded the legitimate  
2 roles of the states through the manipulative process of  
3 federal mandates, many of which are unfunded mandates; and  
4

5 WHEREAS, the federal government has ceased to operate under  
6 a proper interpretation of the Constitution of the United  
7 States; and  
8

9 WHEREAS, it is the solemn duty of the states to protect the  
10 liberty of our people, particularly for the generations to  
11 come, by proposing amendments to the Constitution of the  
12 United States through a convention of the states under Article  
13 V for the purpose of restraining these and related abuses of  
14 power.  
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 Legislature of the State of Wyoming  
20 hereby applies to Congress, under the provisions of Article  
21 V of the Constitution of the United States, for the calling  
22 of a convention of the states limited to proposing amendments  
23 to the Constitution of the United States that impose fiscal

1 restraints on the federal government, limit the power and  
2 jurisdiction of the federal government and limit the terms of  
3 office for its officials and for members of Congress.

4  
5 **Section 2.**

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7 (a) The Legislature of the State of Wyoming adopts the  
8 application made under section 1 of this joint resolution  
9 expressly subject to the following reservations,  
10 understandings and declarations:

11  
12 (i) An application to the Congress of the United  
13 States to call a convention of the states pursuant to  
14 Article V of the United States Constitution for the purpose  
15 of proposing amendments to the Constitution confers no power  
16 to Congress other than the power to call the convention. The  
17 power of Congress to exercise this ministerial duty consists  
18 solely of the authority to name a reasonable time and place  
19 for the initial meeting of a convention;

20  
21 (ii) Congress shall call an amendment convention  
22 of the states only upon the receipt of applications for an  
23 amendment convention for the substantially same purpose as

1 this application from two-thirds (2/3) of the legislatures of  
2 the several states;

3

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

13

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

17

18 (v) A convention of the states to propose  
19 amendments to the Constitution convened pursuant to this  
20 application shall be limited to consideration of the topics  
21 specified in this joint resolution and no other. This  
22 application is made with the express understanding that an  
23 amendment that in any way seeks to amend, modify or repeal

1 any provision of the Bill of Rights shall not be authorized  
2 for consideration in any manner. This application shall be  
3 void ab initio if ever used in any manner to propose or  
4 consider any change to any provision of the Bill of Rights;

5

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

13

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

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

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

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(END)