

HOUSE JOINT RESOLUTION NO. HJ0010

Convention for proposing constitutional amendments.

Sponsored by: Representative(s) Laursen, Allen, Clem, Hallinan, Lindholm, Miller and Winters and Senator(s) Peterson and Wasserburger

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.

4

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

9

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

12

13 WHEREAS, the federal government has invaded the legitimate  
14 roles of the states through the manipulative process of

1 federal mandates, most of which are unfunded to a great  
2 extent; and

3

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

7

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

14

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

17

18 **Section 1.** The Legislature of the State of Wyoming  
19 hereby applies to Congress, under the provisions of  
20 Article V of the Constitution of the United States, for the  
21 calling of a convention of the states limited to proposing  
22 amendments to the Constitution of the United States that  
23 impose fiscal restraints on the federal government, limit

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

4

5 **Section 2.**

6

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

10

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

19

20 (ii) Congress shall perform its ministerial duty  
21 of calling an amendment convention of the states only upon  
22 the receipt of applications for an amendment convention for

1 the substantially same purpose as this application from  
2 two-thirds (2/3) of the legislatures of 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  
7 Article V of the United States Constitution. Congress does  
8 not have the power to set the number of delegates to be  
9 sent by any state to a convention nor does it have the  
10 power to name delegates to a convention. The power to name  
11 delegates remains exclusively within the authority of the  
12 legislatures of the several states;

13

14 (iv) By definition, a convention of the states  
15 to 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 herein and no other. This application is made  
22 with the express understanding that an amendment that in  
23 any way seeks to amend, modify or repeal any provision of

1 the Bill of Rights shall not be authorized for  
2 consideration in any manner. This application shall be void  
3 ab initio if ever used in any manner to propose or consider  
4 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  
10 conventions. The Legislature of the State of Wyoming  
11 recommends that Congress select ratification by the  
12 legislatures of the several states; and

13

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

18

19 **Section 3.** This application constitutes a continuing  
20 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.

1

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  
5 Speaker of the House of Representatives of the United  
6 States Congress, to the Wyoming Congressional Delegation  
7 and to the presiding officers of each of the legislative  
8 houses in the several states, requesting their cooperation.

9

10

(END)