

HOUSE JOINT RESOLUTION NO. HJ0005

Protecting Wyoming citizen's voices.

Sponsored by: Representative(s) Duncan, Barlow, Oakley,
Sweeney and Zwonitzer and Senator(s)
Wasserburger

A JOINT RESOLUTION

for

1 A JOINT RESOLUTION urging Congress to propose a
2 constitutional amendment allowing Congress and states to
3 regulate political spending to ensure free and fair elections
4 and to empower the voices of Wyoming human citizens.

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6 WHEREAS, Article 1, Section 1 of the Wyoming Constitution
7 provides that: "All power is inherent in the people, and all
8 free governments are founded on their authority, and
9 instituted for their peace, safety and happiness; for the
10 advancement of these ends they have at all times an
11 inalienable and indefeasible right to alter, reform or
12 abolish the government in such manner as they may think
13 proper"; and

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1 WHEREAS, Article 1, Section 2 of the Wyoming Constitution
2 provides that: "In their inherent right to life, liberty and
3 the pursuit of happiness, all members of the human race are
4 equal"; and

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6 WHEREAS, the words "human race" in Article 1, Section 2 of
7 the Wyoming Constitution preserve political rights only for
8 natural persons, giving no such protections to entities
9 authorized by statute such as corporations; and

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11 WHEREAS, Article 10, Section 2 of the Wyoming Constitution
12 provides that: "All powers and franchises of corporations are
13 derived from the people and are granted by their agent, the
14 government, for the public good and general welfare, and the
15 right and duty of the state to control and regulate them for
16 these purposes is hereby declared"; and

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18 WHEREAS, the United States Supreme Court has ruled that
19 Congress and the states lack authority to ban independent
20 corporate expenditures to political campaigns for public
21 office, relying on the concept that the spending of money to
22 elect a candidate is protected speech; and

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1 WHEREAS, this United States Supreme Court precedent has
2 allowed for the creation of super political action committees
3 in campaigns for public office, which have made possible
4 unregulated campaign expenditures in unprecedented amounts;
5 and

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7 WHEREAS, much of this flood of unregulated campaign spending
8 is contributed and controlled by individuals not residing in
9 Wyoming and whose political goals may partly or wholly differ
10 from those of Wyoming residents; and

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12 WHEREAS, the Wyoming Legislature has grave concerns that
13 corporations have privileges not enjoyed by natural persons,
14 such as limited liability, perpetual life and favorable
15 treatment of their accumulation and distribution of assets,
16 which have enabled these entities to financially overwhelm
17 individual natural persons in the political process; and

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19 WHEREAS, Congress, state legislatures and local legislative
20 bodies should have the authority to regulate political
21 contributions and expenditures; and

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1 WHEREAS, based on the American value of ensuring that all
2 citizens, regardless of wealth have an opportunity for their
3 political views to be heard, there is a compelling reason to
4 regulate political spending; and

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6 WHEREAS, a constitutional amendment would overrule United
7 States Supreme Court precedent interpreting the United States
8 Constitution.

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10 NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE
11 LEGISLATURE OF THE STATE OF WYOMING:

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13 **Section 1.** That the Wyoming Legislature respectfully
14 urges the Congress of the United States to propose and send
15 to the states for ratification an amendment to the United
16 States Constitution consistent with the findings of this
17 resolution clarifying the distinction between the rights of
18 natural persons and the rights of corporations, unions and
19 other non-human legal entities and providing that Congress
20 and state legislatures may regulate all monies raised and
21 spent for political purposes.

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1 **Section 2.** That the Secretary of State of Wyoming
2 transmit copies of this resolution to the President of the
3 United States, the President of the Senate and the Speaker of
4 the House of Representatives of the United States Congress
5 and the Wyoming Congressional Delegation.

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(END)