

SENATE JOINT RESOLUTION NO. SJ0005

Congressional term limits.

Sponsored by: Senator(s) Laursen, D, Driskill and Kolb

A JOINT RESOLUTION

for

1 A JOINT RESOLUTION requesting Congress to call a convention
2 of the several states for proposing an amendment to the United
3 States Constitution as specified.

4

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

8

9 WHEREAS, this power provides the several states with the
10 leverage needed to force Congress to act when it otherwise
11 does not want to; and

12

13 WHEREAS, the citizens of Wyoming and twenty-one (21) other
14 states, having passed statutes or state constitutional

1 amendments placing term limits on members of Congress, were
2 overruled by the United States Supreme Court; and

3

4 WHEREAS, the Wyoming Legislature hereby joins with other
5 states in instructing Congress to draft an amendment for
6 congressional term limits and send it to the states for
7 ratification, failing which the states will act on their own;
8 and

9

10 WHEREAS, the Wyoming Legislature, a body of citizen
11 legislators, desires to restore rotation in office for
12 members serving in the United States Congress.

13

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

16

17 **Section 1.** That the Wyoming State Legislature hereby
18 applies to Congress, under the provisions of Article V of the
19 United States Constitution, for the calling of a convention
20 of the several states limited to proposing an amendment to
21 the United States Constitution to set a limit on the number
22 of terms a person may be elected as a member of the United

1 States House of Representatives and as a member of the United
2 States Senate, subject to section 2 of this joint resolution.

3

4 **Section 2.**

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

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

19

20 (ii) Congress does not have the power or the
21 authority to determine any rules for the governing of an
22 amendment convention of the several states called under
23 Article V of the United States Constitution. Congress does

1 not have the power to set the number of delegates to be sent
2 by any state to a convention, nor does Congress have the power
3 to name delegates to a convention. The power to name delegates
4 remains exclusively within the authority of the legislatures
5 of the several states;

6

7 (iii) By definition, a convention of the several
8 states to propose amendments to the United States
9 Constitution means that states shall vote on the basis of one
10 (1) state, one (1) vote;

11

12 (iv) A convention of the several states to propose
13 amendments to the United States Constitution convened under
14 this application shall be limited to consideration of the
15 specific topic expressly specified in section 1 of this joint
16 resolution and no other. This application is made with the
17 express understanding that an amendment that in any way seeks
18 to amend, modify or repeal any provision of the Bill of Rights
19 shall not be authorized for consideration in any manner;

20

21 (v) Under Article V of the United States
22 Constitution, Congress may determine whether the proposed
23 amendment shall be ratified by the legislatures of the several

1 states or by special state ratification conventions. The
2 Wyoming State Legislature recommends that Congress select
3 ratification by the legislatures of the several states;
4

5 (vi) The Wyoming State Legislature may provide
6 further instructions to its delegates and may recall its
7 delegates at any time for a breach of a duty or a violation
8 of the instructions provided to the delegates, including but
9 not limited to the instructions and requirements specified in
10 W.S. 9-22-101 and 9-22-102.
11

12 (b) That this application be considered as covering the
13 same subject matter as the applications from other states to
14 Congress to call a convention to set a limit on the number of
15 terms that a person may be elected to the United States House
16 of Representatives and the United States Senate, and that
17 this application be aggregated with the applications of other
18 states for the purposes of attaining the two-thirds (2/3) of
19 states necessary to require Congress to call a limited
20 convention for the purpose of setting term limits on the
21 members of Congress, but that this application not be
22 aggregated with any other application on any other subject.
23

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

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

14

(END)