

SENATE JOINT RESOLUTION NO. SJ0003

Judicial taxation authority.

Sponsored by: Senator(s) Case, Cathcart and Geis and
Representative(s) Cohee, Hageman and Tipton

A Bill

for

1 A JOINT RESOLUTION requesting Congress to propose and
2 submit to the several states for ratification an amendment
3 to the Constitution of the United States on the subject of
4 judicial taxation.

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6 WHEREAS, separation of powers is fundamental to the United
7 States Constitution and the power of the federal government
8 is strictly limited; and

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10 WHEREAS, under the United States Constitution, the states
11 are to determine public policy; and

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13 WHEREAS, it is the duty of the judiciary to interpret the
14 law, not to create law; and

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1 WHEREAS, federal district courts, with the acquiescence of
2 the United States Supreme Court, continue to order states
3 to levy or increase taxes in violation of the United States
4 Constitution and the legislative process; and

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6 WHEREAS, the time has come for the people of this great
7 nation and their duly elected representatives in state
8 government, to reaffirm, in no uncertain terms, that the
9 authority to tax under the Constitution of the United
10 States is retained by the people who, by their consent
11 alone, do delegate such power to tax explicitly to those
12 duly elected representatives in the legislative branch of
13 government whom they choose, such representatives being
14 directly responsible and accountable to those who have
15 elected them; and

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17 WHEREAS, several states have petitioned the United States
18 Congress to propose an amendment to the Constitution of the
19 United States of America which was previously introduced in
20 Congress; and

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22 WHEREAS, the amendment seeks to prevent federal courts from
23 levying or increasing taxes without representation of the
24 people and against the people's wishes.

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2 *Now, Therefore, Be It Resolved By The Members of the*
3 *Legislature of the State of Wyoming:*

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5 1. That the Congress of the United States expeditiously
6 propose and submit to the Legislatures of the several
7 States for ratification an amendment to the Constitution of
8 the United States to add a new article providing as
9 follows:

10 "Neither the Supreme Court nor any inferior
11 court of the United States shall have the power
12 to instruct or order a state or a political
13 subdivision thereof, or an official of such a
14 state or political subdivision, to levy or
15 increase taxes."

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17 2. That this resolution constitutes a continuing
18 application in accordance with Article V of the
19 Constitution of the United States.

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21 3. That the Legislatures of each of the several states
22 comprising the United States are urged to apply to the
23 United States Congress requesting that the referenced

1 amendment to the United States Constitution be submitted to
2 the states for ratification.

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4 4. That the Secretary of State transmit copies of this
5 resolution to the President of the United States Senate,
6 the Speaker of the House of Representatives of the United
7 States, each Member of the Wyoming Congressional
8 Delegation, and the Secretary of State and the presiding
9 officers of both Houses of the Legislatures of each of the
10 other States in the Union.

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(END)