

HOUSE JOINT RESOLUTION NO. HJ0007

U.S. constitutional convention-repeal.

Sponsored by: Representative(s) Brechtel, Anderson, R.,
Edmonds, Jaggi, Petersen, Quarberg and
Semlek and Senator(s) Burns, Cooper,
Jennings and Landen

A BILL

for

1 A JOINT RESOLUTION to repeal requests made to Congress to
2 call a convention for the purpose of proposing amendments
3 to the Constitution of the United States.

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5 WHEREAS, on February 23, 1939, the Wyoming Legislature
6 approved House Joint Memorial No. 6 requesting Congress to
7 call a Constitutional Convention to propose an amendment to
8 the United States Constitution to provide limitations on
9 taxes on incomes, gifts and inheritances and to repeal the
10 Sixteenth Amendment to the United States Constitution; and

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12 WHEREAS, on February 26, 1959, the Wyoming Legislature
13 approved House Joint Resolution No. 4 requesting Congress
14 to approve and submit to the states for ratification, or to
15 call a Constitutional Convention to propose an amendment to

1 the United States Constitution to abolish personal income,
2 estate and gift taxes and to prohibit the federal
3 government from engaging in business in competition with
4 its citizens; and

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6 WHEREAS, on February 21, 1961, the Wyoming Legislature
7 approved House Joint Resolution No. 7 requesting Congress
8 to call a Constitutional Convention to propose an amendment
9 to the United States Constitution to provide that the
10 federal government expenditures during any fiscal year may
11 not exceed the estimated receipts of the federal government
12 for that fiscal year, except for trust fund expenditures
13 and receipts, unless a substantial majority of the
14 Congress, on recommendation of the President and because of
15 war or other grave national emergency, votes to suspend the
16 limitation on expenditures for a specified period of time;
17 and

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19 WHEREAS, on February 9, 1963, the Wyoming Legislature
20 approved House Joint Memorial No. 13 requesting Congress to
21 call a Constitutional Convention to propose an amendment to
22 the United States Constitution to prohibit the federal
23 government from restricting or limiting, through

1 legislative or judicial action, any state in the
2 apportionment of the representation of its legislature; and

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4 WHEREAS, on February 14, 1963, the Wyoming Legislature
5 approved Senate Joint Resolution No. 4 requesting Congress
6 to call a Constitutional Convention to propose an amendment
7 to the United States Constitution to provide for a Court of
8 the Union; and

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10 WHEREAS, on February 15, 1963, the Wyoming Legislature
11 approved House Joint Memorial No. 14 requesting Congress to
12 call a Constitutional Convention to propose an amendment to
13 Article V of the United States Constitution which would
14 provide a change in the procedure for proposing a
15 constitutional amendment to the United States Constitution;
16 and

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18 WHEREAS, on February 14, 1975, the Wyoming Legislature
19 approved House Joint Resolution No. 4 requesting Congress
20 to call a Constitutional Convention to propose an amendment
21 to the United States Constitution to prohibit Congress, the
22 President or any agency of the federal government from
23 withholding or withdrawing federal funds as a means of
24 requiring a state to implement federal policies which

1 neither Congress, the President or the agency has the power
2 or authority to impose or implement directly by its own
3 action; and

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5 WHEREAS, on February 17, 1977, the Wyoming Legislature
6 approved House Joint Resolution No. 12 requesting Congress
7 to approve and submit to the states for ratification, or to
8 call a Constitutional Convention to propose an amendment to
9 the United States Constitution to provide that
10 appropriations of money made by Congress of any fiscal year
11 may not exceed the total estimated revenues for that fiscal
12 year, except when a national emergency is proclaimed by the
13 President and concurred in by two-thirds (2/3) of the
14 members elected to each house of Congress; and

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16 WHEREAS, on February 28, 1979, the Wyoming Legislature
17 approved Senate Joint Resolution No. 4 requesting Congress
18 to call a Constitutional Convention to propose an amendment
19 to the United States Constitution to provide that taxes or
20 expenditures by the federal government may not exceed an
21 amount equal to the taxes or expenditures for the preceding
22 fiscal year, computed on a per capita basis, increased by
23 the percentage increase in the Consumer Price Index and the
24 national population for the preceding fiscal year, except

1 when a national emergency is proclaimed by the President
2 and concurred in by two-thirds (2/3) of the members elected
3 to each house of Congress; and

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5 WHEREAS, a Constitutional Convention called and convened
6 for any one purpose could result in a complete rewriting of
7 the United States Constitution with no rules or precedent
8 whatsoever to follow; and

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10 WHEREAS, the convening of a Constitutional Convention
11 during these troubled times represents a clear and present
12 danger to our established system of justice, to the common
13 defense of our nation, to our general welfare and to the
14 ordered form of liberty which we have inherited from our
15 forefathers, cherished for ourselves and earnestly desire
16 to defend and conserve for our posterity; and

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18 WHEREAS, these rights and privileges were endowed unto us
19 by our Creator; and

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21 WHEREAS, these clear and present dangers far outweigh any
22 possible benefit of convening a Constitutional Convention
23 at this time; and

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1 WHEREAS, we, as members of the Legislature of the State of
2 Wyoming, have sworn a solemn oath to support, obey and
3 defend the United States Constitution against all enemies,
4 both foreign and domestic; and

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6 WHEREAS, Congress has not called a convention for the
7 purpose of amending the United States Constitution as
8 requested.

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10 *Now, Therefore, Be It Resolved By The Legislature of the*
11 *State of Wyoming,* a majority of all the members of each
12 house, voting separately, concurring therein:

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14 **Section 1.** That House Joint Memorial No. 6 approved
15 by the Legislature on February 23, 1939; House Joint
16 Resolution No. 4 approved by the Legislature on February
17 26, 1959; House Joint Resolution No. 7 approved by the
18 Legislature on February 21, 1961; House Joint Memorial No.
19 13 approved by the Legislature on February 9, 1963; Senate
20 Joint Resolution No. 4 approved by the Legislature on
21 February 14, 1963; House Joint Memorial No. 14 approved by
22 the Legislature on February 15, 1963; House Joint
23 Resolution No. 4 approved by the Legislature on February
24 14, 1975; House Joint Resolution No. 12 approved by the

1 Legislature on February 17, 1977; Senate Joint Resolution
2 No. 4 approved by the Legislature on February 28, 1979; and
3 any other previous applications to the Congress of the
4 United States made by the Wyoming Legislature pursuant to
5 Article V of the United States Constitution for the calling
6 of a constitutional convention for any purpose, limited or
7 general, are hereby, both individually and collectively,
8 repealed.

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10 **Section 2.** That certified copies of this Joint
11 Resolution be transmitted by the Secretary of State to the
12 President of the Senate and the Speaker of the House of
13 Representatives of the Congress of the United States, and
14 to each member of the Wyoming Congressional delegation.

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(END)