

Sponsored By: Representative(s) Laursen, Lindholm, Miller and Winters and Senator(s) Bebout, Driskill, Hicks, Peterson and Wasserburger

AN ACT relating to administration of government; specifying limitations on delegates to an Article V convention; providing definitions; clarifying state convention refers to a state ratifying convention; and providing for an effective date.

1/16/2015 Bill Number Assigned
 1/20/2015 H Received for Introduction
 1/22/2015 H Introduced and Referred to H01 - Judiciary
 1/30/2015 Judiciary:Recommend Amend and Do Pass 7-2-0-0-0

ROLL CALL

Ayes: Representative(s) Baker, Halverson, Kroeker, Krone, Miller, Pownall, Winters

Nays: Representative(s) Esquibel, K., Pelkey

Ayes 7 **Nays** 2 **Excused** 0 **Absent** 0 **Conflicts** 0

1/30/2015 H Placed on General File

HB0121HS001/ADOPTED

Page 1-before line 1 In the catch title delete "Constitutional" insert "Article V".
 Page 2-line 8 After "convention" insert ";" and delete balance of the line.
 Page 2-line 9 Delete entirely.
 Page 3-line 2 After "outside the" insert "permitted"; delete "of" insert "contained in".
 Page 3-line 13 Delete "delegate casting a"; after "vote" insert "made".
 Page 3-line 14 After "be" insert "null and void. Any delegate making this vote shall be".
 Page 4-lines 10 and 11 Delete entirely.
 Page 4-line 12 Delete "(\$1,000.00), or both." insert "felony punishable by imprisonment for not more than five (5) years, a fine of not more than ten thousand dollars (\$10,000.00), or both".
 Page 6-lines 1 through 3 Delete entirely. MILLER, CHAIRMAN

2/3/2015 H COW Passed

2/4/2015 H 2nd Reading:Passed

HB0121H3001/ADOPTED

Page 1-line 3 After "definitions;" insert "clarifying state convention refers to a state ratifying convention."
 Page 6-line 5 After "W.S." insert "22-20-201 through 22-20-205, 22-20-208 and"; delete "is" insert "are".
 Page 6-After line 5 Insert:
"22-20-201. Proclamation of governor calling state ratifying convention.

(a) If the congress of the United States of America enacts any law requiring any question of repealing, amending or altering the constitution of the United States of America, or any part thereof, to be submitted to a ratifying convention of delegates chosen by the qualified electors of the state and does not prescribe the manner and method of calling, holding and conducting the ratifying convention and of canvassing the returns of the votes of the delegates thereto and determining, declaring and publishing the result of the vote of the delegates to the ratifying convention on any question voted upon, for which the ratifying convention is called, it is the duty of the governor to make a public proclamation:

- (i) Calling the ratifying state convention;
- (ii) Calling for the election of delegates to the state ratifying convention;
- (iii) Specifying the place where and the time when the ratifying convention shall be held;
- (iv) Specifying the number of delegates (who shall be qualified electors) of which the ratifying convention shall consist; and
- (v) Specifying the method and manner by and in which delegates to the ratifying convention shall be elected.

22-20-202. Election of delegates to county and state conventions.

In each of the election precincts in each of the counties of this state there shall be held a meeting of the qualified electors of the precinct at the time fixed by the proclamation. A qualified elector in the precinct shall preside at each precinct meeting, and an election shall be held in which not less than one (1) delegate from each precinct and (1) one additional delegate for each six hundred (600) or major portion thereof of the inhabitants of the precinct shall be elected as delegates to a convention to be held at the county seat of the county. Upon the day fixed by the governor for holding the county convention the delegates thereto shall assemble and elect one (1) delegate for each county, and one (1) delegate for each five thousand (5000) or major fraction thereof of the inhabitants of the county as delegates to the state ratifying convention specified in W.S. 22-20-201.

22-20-203. Convening of county convention; presiding officer; certification of results.

It is the duty of the chairman of the board of county commissioners or some other member of the board in each county to convene the county convention and preside over it until the delegates chosen thereto select a chairman of the convention. It is the duty of the chairman and secretary of the convention to certify, under oath, to the secretary of state and to the state ratifying convention, the names of the delegates to the state ratifying convention chosen by the county convention.

22-20-204. Rules of practice for county conventions; convention ballots.

(a) The rules of practice, procedure and conduct of the business of the several county conventions specified in W.S. 22-20-202 are those prescribed by "Robert's Rules of Parliamentary Procedure and Order".

(b) The vote on the selection of delegates to the county and state ratifying conventions shall be by written or printed ballot.

22-20-205. Determining apportionment of representation at convention. In the apportionment of representation in the county and state ratifying conventions, the last federal census is the basis upon which the right to representation in the conventions shall be determined.

22-20-208. Convening of state ratifying convention; costs and expenses; certification of results.

(a) If the governor issues a proclamation calling a state ratifying convention, it is the duty of the secretary of state to convene the ratifying convention and make all necessary arrangements.

(b) The costs incidental to the holding of the state ratifying convention shall be borne and paid by the state, as appropriated by the legislature.

(c) It is the duty of the officers of the state ratifying convention to certify, under oath, to the secretary of state, the result of the vote cast at the ratifying convention on each question submitted thereto. When the result of the vote of the delegates to the state ratifying convention is certified to the secretary of state, it is then the duty of the secretary of state to certify the result to the president and secretary of state of the United States, and to the president of the senate and the speaker of the house of representatives of the congress of the United States."

Page 6-line 8 After "holding" insert "a ratifying"; delete ";
procedure for an article V convention".

Page 6-line 12 Strike "conventions" insert "ratifying
convention".

Page 6-line 13 Before "convention" insert "ratifying".

Page 6-line 17 Before "convention" insert "ratifying".
WINTERS, LINDHOLM, LARSEN

2/5/2015 H 3rd Reading:Passed 44-15-1-0-0

ROLL CALL

Ayes: Representative(s) Allen, Baker, Baldwin, Barlow, Berger, Blackburn, Brown Speaker, Burkhardt, Campbell, Cannady, Clem, Edmonds, Eklund, Gay, Greear, Halverson, Harshman, Harvey, Hunt, Jaggi, Jennings, Kasperik, Kirkbride, Kroeker, Krone, Larsen Lloyd, Laursen Dan, Lindholm, Lockhart, Loucks, Madden, McKim, Miller, Moniz, Northrup, Paxton, Petroff, Piiparinen, Reeder, Sommers, Steinmetz, Stubson, Wilson, Winters

Nays: Representative(s) Blake, Byrd, Connolly, Dayton, Edwards, Esquibel, Freeman, Nicholas, Patton, Pownall, Schwartz, Throne, Walters, Zwonitzer,Dn, Zwonitzer,Dv

Excused: Representative Pelkey

Ayes 44 **Nays** 15 **Excused** 1 **Absent** 0 **Conflicts** 0

2/6/2015 S Received for Introduction

2/9/2015 S Introduced and Referred to S12 - Rules

2/25/2015 Rules:Recommend Amend and Do Pass 3-2-0-0-0

ROLL CALL

Ayes: Senator(s) Bebout, Nicholas, P., Perkins

Nays: Senator(s) Craft, Rothfuss

Ayes 3 **Nays** 2 **Excused** 0 **Absent** 0 **Conflicts** 0

2/25/2015 S Placed on General File

HB0121SS001/ADOPTED (TO ENGROSSED COPY)

Page 3-after line 13 Insert and renumber:

"(b) Any voting delegate shall be directed to vote for procedures and rules mandating that the convention remain a convention of states where each state is represented by one (1) vote."

Page 3-line 15 Delete "(b)" insert "(c)".
 Page 3-line 21 Delete "(c)" insert "(d)".
 Page 4-line 10 Delete "(d)" insert "(e)".
 Page 4-line 11 Delete "(c)" insert "(d)".
 Page 4-line 15 Delete "(c)" insert "(d)".
 Page 4-after line 17 Insert and renumber:

"(f) The number and identity of delegates representing the state of Wyoming shall be selected by the management council of the Wyoming legislature in consultation with the governor."

Page 4-line 19 Delete "(e)" insert "(g)".
 Page 5-line 4 Delete "(f)" insert "(h)".
 Page 5-line 9 Delete "(d)" insert "(e)".
 Page 5-line 15 Delete "(g)" insert "(j)".
 Page 5-line 21 Delete "(h)" insert "(k)". NICHOLAS, CHAIRMAN

2/25/2015 S COW Passed
 2/26/2015 S 2nd Reading:Passed
 2/27/2015 S 3rd Reading:Passed 17-13-0-0-0

ROLL CALL

Ayes: Senator(s) Bebout, Case, Coe, Cooper, Driskill, Geis, Hicks, Johnson, Kinskey, Landen, Nicholas Pres, Pappas, Perkins, Peterson, Ross, Scott, Wasserburger

Nays: Senator(s) Anderson, J.D. (SD02), Anderson, J.L. (SD28), Barnard, Burns, Christensen, Craft, Dockstader, Emerich, Esquibel, Hastert, Meier, Rothfuss, Von Flatern

Ayes 17 **Nays** 13 **Excused** 0 **Absent** 0 **Conflicts** 0

2/27/2015 H Received for Concurrence
 2/27/2015 H Concur:Failed 19-39-2-0-0

ROLL CALL

Ayes: Representative(s) Allen, Baldwin, Campbell, Cannady, Eklund, Greear, Halverson, Harshman, Hunt, Kasperik, Lockhart, Madden, Miller, Moniz, Nicholas, Northrup, Paxton, Pownall, Walters

Nays: Representative(s) Baker, Barlow, Berger, Blackburn, Blake, Brown Speaker, Burkhart, Byrd, Clem, Connolly, Dayton, Edmonds, Edwards, Esquibel, Freeman, Gay, Harvey, Jaggi, Jennings, Kirkbride, Kroeker, Krone, Larsen Lloyd, Laursen Dan, Lindholm, Loucks, McKim, Pelkey, Petroff, Piiparinen, Reeder, Schwartz, Sommers, Steinmetz, Stubson, Throne, Wilson, Zwonitzer, Dn, Zwonitzer, Dv

Excused: Representative(s) Patton, Winters

Ayes 19 **Nays** 39 **Excused** 2 **Absent** 0 **Conflicts** 0

2/27/2015 H Appointed JCC01 Members
 Representative(s) Miller, Laursen, Lindholm
 3/3/2015 S Appointed JCC01 Members
 Senator(s) Wasserburger, Bebout, Peterson
 3/5/2015 H Did Not Adopt HB0121JC001: 1-58-1-0-0

HB0121JC001/HFAILED (TO ENGROSSED COPY)

Delete the following Senate amendments:

HB0121SS001/A

Further amend the ENGROSSED COPY as follows:

Page 3-after line 13 Insert and renumber:

"(b) Any voting delegate shall be directed to vote for procedures and rules mandating that the convention remain a convention of states where each state is represented by one (1) vote."

Page 3-line 15 Delete "(b)" insert "(c)".

Page 3-line 21 Delete "(c)" insert "(d)".

Page 4-line 10 Delete "(d)" insert "(e)".

Page 4-line 11 Delete "(c)" insert "(d)".

Page 4-line 15 Delete "(c)" insert "(d)".

Page 4-after line 17 Insert and renumber:

"(f) The number and identity of delegates representing the state of Wyoming shall be selected by the management council of the Wyoming legislature in consultation with the governor and confirmation by the senate if it is in session."

Page 4-line 19 Delete "(e)" insert "(g)".

Page 5-line 4 Delete "(f)" insert "(h)".

Page 5-line 9 Delete "(d)" insert "(e)".

Page 5-line 15 Delete "(g)" insert "(j)".

Page 5-line 21 Delete "(h)" insert "(k)". MILLER, LAURSEN,
WASSERBURGER, BEBOUT, PETERSON

ROLL CALL

Ayes: Representative Brown Speaker

Nays: Representative(s) Allen, Baker, Baldwin, Barlow, Berger, Blackburn, Blake, Burkhardt, Byrd, Campbell, Cannady, Clem, Connolly, Dayton, Edmonds, Edwards, Eklund, Esquibel, Freeman, Gay, Greear, Halverson, Harshman, Harvey, Hunt, Jaggi, Jennings, Kasperik, Kirkbride, Kroeker, Krone, Larsen Lloyd, Laursen Dan, Lindholm, Lockhart, Loucks, Madden, McKim, Miller, Moniz, Nicholas, Northrup, Paxton, Pelkey, Petroff, Piiparinen, Pownall, Reeder, Schwartz, Sommers, Steinmetz, Stubson, Throne, Walters, Wilson, Winters, Zwonitzer,Dn, Zwonitzer,Dv

Excused: Representative Patton

Ayes 1 **Nays** 58 **Excused** 1 **Absent** 0 **Conflicts** 0

3/5/2015 H Appointed JCC02 Members

Representative(s) Brown, Laursen, Winters

3/5/2015 H Postponed indefinitely