

ORIGINAL HOUSE
JOINT RESOLUTION
NO. 0007

ENGROSSED

ENROLLED JOINT RESOLUTION NO. 3, HOUSE OF REPRESENTATIVES

SIXTIETH LEGISLATURE OF THE STATE OF WYOMING
2009 GENERAL SESSION

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

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

WHEREAS, on February 26, 1959, the Wyoming Legislature approved House Joint Resolution No. 4 requesting Congress to approve and submit to the states for ratification, or to call a Constitutional Convention to propose an amendment to the United States Constitution to abolish personal income, estate and gift taxes and to prohibit the federal government from engaging in business in competition with its citizens; and

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

WHEREAS, on February 9, 1963, the Wyoming Legislature approved House Joint Memorial No. 13 requesting Congress to

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call a Constitutional Convention to propose an amendment to the United States Constitution to prohibit the federal government from restricting or limiting, through legislative or judicial action, any state in the apportionment of the representation of its legislature; and

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

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

WHEREAS, on February 14, 1975, the Wyoming Legislature approved House Joint Resolution No. 4 requesting Congress to call a Constitutional Convention to propose an amendment to the United States Constitution to prohibit Congress, the President or any agency of the federal government from withholding or withdrawing federal funds as a means of requiring a state to implement federal policies which neither Congress, the President or the agency has the power or authority to impose or implement directly by its own action; and

WHEREAS, on February 17, 1977, the Wyoming Legislature approved House Joint Resolution No. 12 requesting Congress to approve and submit to the states for ratification, or to call a Constitutional Convention to propose an amendment to the United States Constitution to provide that

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appropriations of money made by Congress of any fiscal year may not exceed the total estimated revenues for that fiscal year, except when a national emergency is proclaimed by the President and concurred in by two-thirds (2/3) of the members elected to each house of Congress; and

WHEREAS, on February 28, 1979, the Wyoming Legislature approved Senate Joint Resolution No. 4 requesting Congress to call a Constitutional Convention to propose an amendment to the United States Constitution to provide that taxes or expenditures by the federal government may not exceed an amount equal to the taxes or expenditures for the preceding fiscal year, computed on a per capita basis, increased by the percentage increase in the Consumer Price Index and the national population for the preceding fiscal year, except when a national emergency is proclaimed by the President and concurred in by two-thirds (2/3) of the members elected to each house of Congress; and

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

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

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

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

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

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

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

Section 1. That House Joint Memorial No. 6 approved by the Legislature on February 23, 1939; House Joint Resolution No. 4 approved by the Legislature on February 26, 1959; House Joint Resolution No. 7 approved by the Legislature on February 21, 1961; House Joint Memorial No. 13 approved by the Legislature on February 9, 1963; Senate Joint Resolution No. 4 approved by the Legislature on February 14, 1963; House Joint Memorial No. 14 approved by the Legislature on February 15, 1963; House Joint Resolution No. 4 approved by the Legislature on February 14, 1975; House Joint Resolution No. 12 approved by the Legislature on February 17, 1977; Senate Joint Resolution No. 4 approved by the Legislature on February 28, 1979; and any other previous applications to the Congress of the United States made by the Wyoming Legislature pursuant to Article V of the United States Constitution for the calling of a constitutional convention for any purpose, limited or general, are hereby, both individually and collectively, repealed, rescinded, cancelled, nullified and voided.

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

(END)

Speaker of the House

President of the Senate

Governor

TIME APPROVED: _____

DATE APPROVED: _____

I hereby certify that this act originated in the House.

Chief Clerk