

## SENATE JOINT RESOLUTION NO. SJ0002

Free and fair elections-2.

Sponsored by: Senator(s) Wasserburger, Kost and Von Flatern  
and Representative(s) Duncan, Sweeney and  
Zwonitzer

## A JOINT RESOLUTION

for

1 A JOINT RESOLUTION requesting Congress to call a convention  
2 to amend the United States Constitution for the purpose of  
3 restoring free and fair elections.

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5 WHEREAS, Article 1, Section 1 of the Wyoming Constitution  
6 provides that: "All power is inherent in the people, and all  
7 free governments are founded on their authority, and  
8 instituted for their peace, safety and happiness; for the  
9 advancement of these ends they have at all times an  
10 inalienable and indefeasible right to alter, reform or  
11 abolish the government in such manner as they may think  
12 proper;" and

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14 WHEREAS, Article 1, Section 2 of the Wyoming Constitution  
15 provides that: "In their inherent right to life, liberty and

1 the pursuit of happiness, all members of the human race are  
2 equal;" and

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4 WHEREAS, the words "human race" in Article 1, Section 2 of  
5 the Wyoming Constitution preserve political rights only for  
6 natural persons, giving no such protections to artificial  
7 persons such as corporations; and

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9 WHEREAS, Article 10, Section 2 of the Wyoming Constitution  
10 provides that: "All powers and franchises of corporations are  
11 derived from the people and are granted by their agent, the  
12 government, for the public good and general welfare, and the  
13 right and duty of the state to control and regulate them for  
14 these purposes is hereby declared;" and

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16 WHEREAS, the United States Supreme Court has ruled that  
17 Congress and the states lack authority to ban independent  
18 corporate expenditures to political campaigns for public  
19 office, relying on the concept that the spending of money to  
20 elect a candidate is protected speech; and

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22 WHEREAS, this United States Supreme Court precedent has  
23 allowed the creation of super political action committees in

1 campaigns for public office, which have made possible  
2 unregulated campaign expenditures in unprecedented amounts;  
3 and

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5 WHEREAS, the Legislature of the State of Wyoming has grave  
6 concerns that corporations have privileges not enjoyed by  
7 natural persons, such as limited liability, perpetual life  
8 and favorable treatment of their accumulation and  
9 distribution of assets, which may enable corporations to  
10 financially overwhelm individual natural persons in the  
11 political process; and

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13 WHEREAS, Congress, state legislatures and local legislative  
14 bodies should have the authority to regulate political  
15 contributions and expenditures; and

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17 WHEREAS, based on the American value of ensuring that all  
18 citizens, regardless of wealth have an opportunity for their  
19 political views to be heard, there is a compelling reason to  
20 regulate political spending; and

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1 WHEREAS, a constitutional amendment can overrule United  
2 States Supreme Court precedent interpreting the United States  
3 Constitution; and

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5 WHEREAS, it is the solemn duty of the states to protect the  
6 political rights of natural persons and to restore confidence  
7 in the integrity of our elections, by proposing amendments to  
8 the Constitution of the United States through a convention of  
9 the states under Article V for the purpose of restoring free  
10 and fair elections.

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12 *NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE*  
13 *LEGISLATURE OF THE STATE OF WYOMING:*

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15 **Section 1.** That the Legislature of the State of Wyoming  
16 hereby applies to Congress, under the provisions of Article  
17 V of the Constitution of the United States, for the calling  
18 of a convention of the states limited to proposing amendments  
19 to the Constitution of the United States consistent with the  
20 findings of this resolution that would distinguish between  
21 the political rights of natural persons and the political  
22 rights of corporations and other legal entities and provide

1 that Congress and the several states may regulate all monies  
2 raised and spent for political purposes.

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4       **Section 2.** That this application constitutes a  
5 continuing application in accordance with Article V of the  
6 Constitution of the United States provided that, this  
7 application shall not be considered by Congress until at least  
8 thirty-three (33) other states submit applications for the  
9 same purpose and Congress makes a determination that the scope  
10 of proposed amendments to the Constitution of the United  
11 States to be considered by the convention is limited to the  
12 same purpose as this application.

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14       **Section 3.** That the Secretary of State of Wyoming  
15 transmit copies of this resolution to the President of the  
16 United States, the President of the Senate and the Speaker of  
17 the House of Representatives of the United States Congress,  
18 the Wyoming Congressional Delegation and the presiding  
19 officers of each of the legislative houses in the several  
20 states, requesting their cooperation.

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(END)