

HOUSE JOINT RESOLUTION NO. HJ0008

Free and fair elections.

Sponsored by: Representative(s) Zwonitzer, Brown, Duncan,
Furphy, Henderson, Kinner and Kirkbride and
Senator(s) Anselmi-Dalton and Pappas

A JOINT RESOLUTION

for

1 A JOINT RESOLUTION urging Congress to propose a
2 constitutional amendment ensuring free and fair elections.

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

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13 WHEREAS, Article 1, Section 2 of the Wyoming Constitution
14 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 would overrule United
2 States Supreme Court precedent interpreting the United States
3 Constitution.

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5 *NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE*
6 *LEGISLATURE OF THE STATE OF WYOMING:*

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8 **Section 1.** That the Legislature of the State of Wyoming
9 respectfully urges the Congress of the United States to
10 propose and send to the states for ratification an amendment
11 to the United States Constitution consistent with the
12 findings of this resolution clarifying the distinction
13 between the rights of natural persons and the rights of
14 corporations and other legal entities and providing that
15 Congress and state legislatures may regulate all monies
16 raised and spent for political purposes.

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1 **Section 2.** That the Secretary of State of Wyoming
2 transmit copies of this resolution to the President of the
3 United States, to the President of the Senate and the Speaker
4 of the House of Representatives of the United States Congress
5 and to the Wyoming Congressional Delegation.

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(END)