

HOUSE JOINT RESOLUTION NO. HJ0007

Repeal of 17th amendment.

Sponsored by: Representative(s) Landon, Berger, Diercks,
Edmonds, Gingery, Lubnau and Semlek and
Senator(s) Case

A Bill

for

1 A JOINT RESOLUTION requesting Congress to propose an
2 amendment to the United States Constitution repealing the
3 seventeenth amendment to the United States Constitution.

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5 WHEREAS, prior to the passage of the seventeenth amendment
6 of the United States Constitution the power to select
7 senators was held by the various state legislatures
8 pursuant to Article 1, Section 3, Clause 1 of the United
9 States Constitution; and

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11 WHEREAS, upon ratification of the seventeenth amendment of
12 the United States Constitution in 1913, the power to elect
13 senators from each state was passed to the people thereof;
14 and

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1 WHEREAS, the founders of our republic and the framers of
2 the constitution recognized that in a republican
3 government, the legislative authority being necessarily
4 predominant, that it should be divided into two (2)
5 different branches composed by different modes of election,
6 creating different principles of action and as little
7 connected with each other as the nature of their common
8 functions and their common dependencies on society would
9 admit; and

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11 WHEREAS, James Madison explained in the Federalist Papers,
12 No. 10, the reason for bicameralism: "Before taking effect,
13 legislation would have to be ratified by two independent
14 power sources: the people's representatives in the House
15 and the state legislatures' agents in the Senate"; and

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17 WHEREAS, James Madison, in the Federalist Papers, No. 62,
18 wrote that "The appointment of senators by state
19 legislatures gives the state governments such an agency in
20 the formation of the federal government as must secure the
21 authority of the former"; and

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23 WHEREAS, Alexander Hamilton, in the Federalist Papers, No.
24 27, concluded that because the legislatures were selected

1 bodies of men, the choice of United States senators would
2 "generally be made with peculiar care and judgment by the
3 legislatures"; and

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5 WHEREAS, the founders of the constitution created an
6 ingenious template of checks and balances, with divisions
7 and distributions of power to provide for and protect the
8 highest sovereignty - that of each individual citizen; and

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10 WHEREAS, the seventeenth amendment of the United States
11 Constitution eliminates the balance of power between the
12 federal and state governments; and

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14 WHEREAS, popular election of senators has diluted the power
15 of the separate states, unbalanced federalism and has
16 resulted in the increased power of the federal government
17 and loss of sovereignty of the individual and states
18 rights.

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20 *NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE*
21 *LEGISLATURE OF THE STATE OF WYOMING:*

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23 **Section 1.** That the Wyoming legislature urges the
24 Wyoming Congressional delegation and all the members of the

1 United States Congress to propose an amendment to the
2 United States Constitution repealing the seventeenth
3 amendment thereof.

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5 **Section 2.** That the Secretary of State of Wyoming
6 transmit copies of this resolution to the President of the
7 United States, to the President of the Senate and the
8 Speaker of the House of Representatives of the United
9 States Congress and to the Wyoming Congressional
10 Delegation.

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(END)