

2021 WYOMING REPUBLICAN PARTY REDISTRICTING POSTURE

PREMISE:

Of the current 74 amendments, changes, or diversions from the original language found in our Wyoming State Constitution, only 69 were properly amended and ratified by the people in accordance with Wyoming Constitutional provisions found in Article 20 - Section 1 - How amendments proposed by legislature and submitted to people.

“Any amendment or amendments to this constitution may be proposed in either branch of the legislature, and, if the same shall be agreed to by two-thirds of all the members of each of the two houses, voting separately, such proposed amendment or amendments shall, with the yeas and nays thereon, be entered on their journals, and it shall be the duty of the legislature to submit such amendment or amendments to the electors of the state at the next general election, and cause the same to be published without delay for at least twelve (12) consecutive weeks, prior to said election, in at least one newspaper of general circulation, published in each county, and if a majority of the electors shall ratify the same, such amendment or amendments shall become a part of this constitution.”

Every properly ratified and legal change to the content of our State Constitution contains the following notation in an epilogue following the amended section: “This section was amended by a resolution adopted by the (YEAR) legislature, ratified by a vote of the people at the general election held on (DATE), and proclaimed in effect on (DATE).”

Only 5 of the 74 amendments, changes, or diversions from the original language found in our Wyoming State Constitution fail to have this language present. Those amendments and their epilogues being:

Article 3 - Section 3 - Legislative apportionment (Redistricting)– “This section is inconsistent with the application of the “one person, one vote” **principle** under circumstances as they **presently** exist in Wyoming. Consequently, the Wyoming legislature may disregard this provision when reapportioning either the senate or the house of representatives.”

Please note that no dates, U.S. Constitutional provisions, Federal laws, or reference to where the authority to allow “The Wyoming legislature [to] disregard this provision when reapportioning either the senate or the house of representatives” are present in this footnote, nor can any be found anywhere within the content of the Constitution of the State of Wyoming allowing this relief without proper constitutional ratification of an amendment to this section.

This diversion from the original language in this article is not backed up in any way by an

existing federal law in U.S. Code Title 52 Section 10101 (Voting and Elections - Voting Rights) nor supported by a properly ratified amendment to the U.S. Constitution save an extremely weak argument over the “Equal Protection Clause” which is part of the first section of the Fourteenth Amendment to the United States Constitution.

Ultimately, this “footnote” stands as a violation of our constitution in how the legislature is mandated to address amendments to our constitution. The provisions of Article 20 - Section 1 of the Wyoming Constitution are clear and cannot be ignored simply because a member of the judicial branch sighted a “principle” in a court decision, as courts do not have the authority or responsibility to change laws or amend the constitution, that duty and power lies solely within the legislative branch and with the people, respectively.