THE STATE CONSTITUTION OF WYOMING. PREAMBLE We, the People of the State of Wyoming, grateful to God for our civil, political and religious liberties, and desiring to secure them to ourselves and perpetuate them to our posterity, do ordain and establish this Constitution. ARTICLE No. I DECLARATION OF RIGHTS SECTION 1. All power is inherent in the people, and all free governments are founded on their authority, and instituted for their peace, safety and happiness; for the advancements of these ends they have at all times an inalienable and indefeasable right to alter, reform or abolish the government in such manner as they may think proper. SEC. 2. In their inherent right to life, liberty and the pursuit of happiness, all members of the human race are equal. SEC. 3. Since equality in the enjoyment of natural and civil rights is only made sure through political equality, the laws of this State affecting the political rights and privileges of its citizens shall be without distinction of race, color, sex, or any circumstance or condition whatsoever other than individual incompetency or unworthiness, duly ascertained by a court of competent jurisdiction. SEC. 4. The right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures shall not be violated, and no warrant shall issue but upon probable cause, supported by affidavit, particularly describing the place to be searched or the person or thing to be seized. SEC. 5. No person shall be imprisoned for debt except in cases of fraud. SEC. 6. No person shall be deprived of life, liberty or property without due process of law. SEC. 7. Absolute, arbitrary power over the lives, liberty and property of freemen exists nowhere in a republic, not even in the largest majority. SEC. 8. All courts shall be open and every person for an injury done to person, reputation or property shall have justice administered without sale, denial or delay. Suits may be brought against the State in such manner and in such courts as the legislature may by law direct. SEC. 9. The right of trial by jury shall remain inviolate in criminal cases, but a jury in civil cases in all courts, or in criminal cases in courts not of record, may consist of less than twelve men, as may be prescribed by law. Hereafter a grand jury may consist of twelve men, any nine of whom concurring may find an indictment, but the legislature may change, regulate or abolish the grand jury system. SEC. 10. In all criminal prosecutions the accused shall have the right to defend in person and by counsel, to demand the nature and cause of the accusation, to have a copy thereof, to be confronted with .the witnesses against him, to have compulsory process served for obtaining witnesses and to a speedy trial by an impartial jury of the county or district in which the offense is alleged to have been committed. SEC. 11. No person shall be compelled to testify against himself in any criminal case, nor shall any person be twice put, in jeopardy for the same offence. If the jury disagree, or if the judgment be arrested after a verdict, or if the judgment be reversed for error in law, the accused shall not be deemed to have been in jeopardy. SEC. 12. No person shall be detained as a witness in any criminal prosecution longer than may be necessary to take his testimony or deposition, nor be confined in any room where criminals are imprisoned. SEC. 13. Until otherwise provided by law, no person shall, for a felony, be proceeded against criminally, otherwise than by indictment, except in cases arising in the land or naval forces, or in the militia when in actual service in time of war or public danger. SEC. 14. All persons shall be bailable by sufficient sureties, except for capital offences when the proof is evident or the presumption great. Excessive bail shall not be required, nor excessive fines imposed, nor shall cruel or unusual punishment be inflicted. SEC. 15. The penal code shall be framed on the humane principles of reformation and prevention. SEC. 16. No person arrested and confined in jail shall be treated with unnecessary rigor. The erection of safe and comfortable prisons, and inspection of prisons, and the humane treatment of prisoners shall be provided for. SEC. 17. The privilege of the writ of habeas corpus shall not be suspended unless, when in case of rebellion or invasion, the public safety may require it. SEC. 18. The free exercise and enjoyment of religious profession and worship without discrimination or preference shall be forever guaranteed in this State, and no person shall be rendered incompetent to hold any office of trust or profit, or to serve as a witness or juror, because of his opinion on any matter of religious belief whatever; but the liberty of conscience hereby secured shall not be so construed as to excuse acts of licentiousness or justify practices inconsistent, with the peace or safety of the State. SEC. 19. No money of the State shall ever be given or appropriated to any sectarian or religious society or institution. SEC. 20. Every person may freely speak, write and publish on all subjects, being responsible for the abuse of that right; and in all trials for libel, both civil and criminal, the truth, when published with good intent and justifiable ends, shall be a sufficient defense, the jury, having the right to determine the facts and the law, under direction of the court. SEC. 21. The right of petition, and of the people peaceably to assemble to consult for the common good, and to make known their opinions, shall never be denied or abridged. SEC. 22. The rights of labor shall have just protection through laws calculated to secure to the laborer proper rewards for his service and to promote the industrial welfare of the State. SEC. 23. The right of citizens to opportunities for education should have practical recognition. The Legislature shall suitably encourage means and agencies calculated to advance the sciences and liberal arts. SEC. 24. The right of citizens to bear arms in defense of themselves and of the State shall not be denied. SEC. 25. The military shall ever be in strict subordination to the civil power. No soldier in time of peace shall be quartered in any house without consent of the owner, nor in time of war except in the manner prescribed by law. SEC. 26. Treason against the State shall consist only in levying war against it, or in adhering to its enemies or in giving them aid and comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court; nor shall any person be attainted of treason by the legislature. SEC. 27. Elections shall be open, free and equal, and no power, civil or military, shall at any time interfere to prevent an untrammelled exercise of the right of suffrage. SEC. 28. No tax shall be imposed without the consent of the people or their authorized representatives. All taxation shall be equal and uniform. SEC. 29. No distinction shall ever be made by law between resident aliens and citizens - as to the possession, taxation, enjoyment and descent of property. SEC. 30. Perpetuities and monopolies are contrary to the genius of a free state and shall not be allowed. Corporations being creatures of the state, endowed for the public good with a portion of its sovereign powers, must be subject to its control. SEC. 31. Water being essential to industrial prosperity, of limited amount, and easy of diversion from its natural channels, its control must be in the State, which, in providing for its use, shall equally guard all the varied interests involved. SEC. 32. Private property shall not be taken for private use unless by consent of the owner, except for private ways of necessity, and for reservoirs, drains, flumes, or ditches on or across the lands of others for agricultural, mining, milling, domestic or sanitary purposes, nor in any case without due compensation. SEC. 33. Private property shall not be taken or damaged for public or private use without just compensation. SEC. 34. All laws of a general nature shall have a uniform operation. SEC. 35. No ex post facto law, nor any law impairing the obligation of contracts, shall ever be made. SEC. 36. The enumeration of this Constitution of certain rights shall not be construed to deny, impair, or disparage others retained by the people. SEC. 37. The State of Wyoming is an inseparable part of the Federal Union and the Constitution of the United States is the supreme law of land. DISTRIBUTION OF POWER SECTION 1. The powers of the government of this State are divided into three distinct departments: The legislative, executive and judicial, and no person or collection of persons charged with the exercise of powers properly belonging to one of these departments shall exercise any powers properly belonging to either of the others, except as in this constitution expressly directed or permitted. ARTICLE No. III LEGISLATIVE DEPARTMENT SECTION 1. The legislative power shall be vested in a senate and house of representatives which shall be designated "The Legislature of the State of Wyoming." SEC. 2. Senators shall be elected for the term of four (4) years and representatives for the term of two (2) years. The senators elected at the first election shall be divided by lot into two classes as nearly equal as may be. The seats of senators of the first class shall be vacated at the expiration of the first two years, and of the second class at the expiration of four years. No person shall be a senator who has not attained the age of twenty-five years, or a representative who has not attained the age of twenty-one years, and who is not a citizen of the United States and of this State and who has not, for at least twelve months next preceding his election resided within the county or district in which he was elected. SEC. 3. Each county shall constitute a senatorial and representative district; the senate and house of representatives shall be composed of members elected by the legal voters of the counties respectively, every two (2) years. They shall be apportioned among the said counties as nearly as may be according to the number of their inhabitants. Each county shall have at least one senator and one representative; but at no time shall the number of members of the house of representatives be less than twice nor greater than three times the number of members of the senate. The senate and house of representatives first elected in pursuance of this constitution shall consist of sixteen and thirty-three members respectively. SEC. 4. When vacancies occur in either house by death, resignation or otherwise, such vacancy shall be filled for the remainder of the term by special election, to be called in such manner as may be prescribed by law. SEC 5. Members of the senate and house of representatives shall be elected on the day provided by law for the general election of a member of congress, and their term of office shall begin on the first Monday of January thereafter. SEC. 6. Each member of the first legislature, as a compensation for his services, shall receive five dollars for each day's attendance, and fifteen cents for each mile traveled in going to and returning from the seat of government to his residence by the usual traveled route, and shall receive no other compensation, perquisite or allowance whatever. No session of the legislature after the first which may be sixty days, shall exceed forty days. After the first session the compensation of the members of the legislature shall be as provided by law; but no legislature shall fix its own compensation. SEC. 7. The legislature shall meet at the seat of government at twelve o'clock, noon, on the second Tuesday of January, next succeeding the general election provided by law and at twelve o'clock, noon, on the second Tuesday of January of each alternate year thereafter, and at other times when convened by the governor. SEC. 8. No senator or representative shall, during the term for which he was elected, be appointed to any civil office under the State, and no member of congress or other person holding an office (except that of notary public or an office in the Militia) under the United States or this State, shall be a member of either house during his continuance in office. SEC. 9. No member of either house shall, during the term for which he was elected, receive any increase of salary or mileage under any law passed during such term. SEC. 10. The senate shall, at the beginning and close of each regular session and at such other times necessary elect one of its members president, the house of representatives shall elect one of its members speaker, each house shall choose its other officers, and shall judge of the election returns and qualifications of its members. SEC. 11. A majority of each house shall constitute a quorum to do business, but a smaller number may adjourn from day to day, and compel the attendance of absent members in such manner and under such penalties as each house may prescribe. SEC. 12. Each house shall have power to determine the rules of its proceedings, and punish its members or other persons for contempt or disorderly behavior in its presence; to protect its members against violence or offers of bribes or private solicitation, and with the concurrence of two-thirds, to expel a member, and shall have all other powers necessary to the legislature of a free state. A member expelled for corruption shall not thereafter be eligible to either house of the legislature; and punishment for contempt or disorderly behavior shall not bar a criminal prosecution for the same offense. SEC. 13. Each house shall keep a journal of its proceedings and may, in its discretion, from time to time, publish the same, except such parts as require secrecy, and the yeas and nays on any question, shall, at the request of any two members, be entered on the journal. SEC. 14. The sessions of each house and of the committee of the whole shall be open unless the business is such as requires secrecy. SEC. 15. Neither house shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting. SEC. 16. The members of the legislature shall, in all cases, except treason, felony, violation of their oath of office and breach of the peace, be privileged from arrest during their attendance at the sessions of their respective houses, and in going to and returning from the same; and for any speech or debate in either house they shall not be questioned in any other place. SEC. 17. The sole power of impeachment shall vest in the house of representatives; the concurrence of a majority of all the members being necessary to the exercise thereof. Impeachment shall be tried by the senate sitting for that purpose, and the senators shall be upon oath or affirmation to do justice according to law and evidence. When the governor is on trial, the chief justice of the supreme court shall preside. No person shall be convicted without a concurrence of two-thirds of the senators elected. SEC. 18. The governor and other state and judicial officers except justices of the peace, shall all be liable to impeachment for high crimes and misdemeanors, or malfeasance in office, but judgment in such cases shall only extend to removal from office and disqualification to hold any office of honor, trust or profit under the laws of the State. The party, whether convicted or acquitted, shall, nevertheless, be liable to prosecution, trial, judgment and punishment according to law. SEC. 19. All officers not liable to impeachment shall be subject to removal for misconduct or malfeasance in office in such manner as may be provided by law. SEC. 20. No law shall be passed except by bill and no bill shall be so altered or amended on its passage through either house as to change its original purpose. SEC. 21. The enacting clause of every law shall be as follows: "Be it enacted by the legislature of the State of Wyoming." SEC. 22. No bill for the appropriation of money except for the expenses of the government, shall be introduced within five (5) days of the close of the session except by unanimous consent of the house in which it is sought to be introduced. SEC. 23. No bill shall be considered or become a law unless referred to a committee, returned therefrom and printed for the use of the members. SEC. 24. No bill, except general appropriation bills and bills for the codification and general revision of the laws, shall be passed containing more than one subject which shall be clearly expressed in its title; but if any subject is embraced in any act which is not expressed in the title, such act shall be void only as to so much thereof as shall not be so expressed. SEC. 25. No bill shall become a law, except by a vote of a majority of all the members elected to each house, nor unless on its final passage the vote taken by ayes and noes, and the names of those voting be entered on the journal. SEC. 26. No law shall be revised or amended, or the provisions thereof extended by reference to its title only, but so much thereof as is revised, amended or extended, shall be re-enacted and published at length. SEC. 27. The legislature shall not pass local or special laws in any of the following enumerated cases, that is to say: For granting divorces; laying out, opening, altering or working roads or highways; vacating roads, town plats, streets, alleys or public grounds; locating or changing county seats; regulating the jurisdiction and duties of justices of the peace, police magistrates or constables; changing the rules of evidence in any trial or inquiry; providing for change of venue in civil or criminal cases; declaring any person of age; for limitation of civil actions; giving effect to any informal or invalid deeds; summoning or impaneling grand or petit juries; providing for the management of common schools; regulating the rate of interest on money; the opening or conducting of any election or designating the place of voting; the sale or mortgage of real estate belonging to minors or others under disability; chartering or licensing ferries or bridges or toll roads; chartering banks, insurance companies and loan and trust companies; remitting fines, penalties or forfeitures; creating, increasing or decreasing fees percentages or allowances of public officers; changing the law of descent; granting to any corporation, association or individual the right to lay down railroad tracks, or any special or exclusive privilege, immunity or franchise whatever, or amending existing charter for such purpose; for punishment of crimes; changing the names of persons or places; for the assessment or collection of taxes; affecting estates of deceased persons, minors or others under legal disabilities; extending the time for the collection of taxes; refunding money paid into the state treasury; relinquishing or extinguishing, in whole or in part, the indebtedness, liabilities or obligation of any corporation or person to this state or to any municipal corporation therein; exempting property from taxation; restoring to citizenship persons convicted of infamous crimes; authorizing the creation, extension or impairing of liens; crating offices or prescribing the powers or duties of officers in counties, cities, townships, or school-districts; or authorizing the adoption or legitimation of children. In all other cases where a general law can be made applicable no special law shall be enacted. SEC. 28. The presiding officer of each house shall, in the presence of the house over which he presides, sign all bills and joint resolutions passed by the legislature immediately after their titles have been publicly read and the fact of signing shall be at once entered upon the journal. SEC. 29. The legislature shall prescribe by law the number, duties and compensation of the officers and employees of each house, and no payment shall be made from the state treasury, or be in any way authorized to any such person except to an acting officer or employee elected or appointed in pursuance of law. SEC. 30. No bill shall be passed giving any extra compensation to any public officer, servant or employee, agent or contractor, after services are rendered or contract made. SEC. 31. All stationery, printing, paper, fuel and lights used in the legislature and other departments of government, shall be furnished, and the printing and binding of the laws, journals and department reports and other printing and binding, and the repairing and furnishing the halls and rooms used for the meeting of the legislature and its committees shall be performed under contract, to be given to the lowest responsible bidder, below such maximum price and under such regulations as may be prescribed by law. No member or officer of any department of the government shall be in any way interested in any such contract; and all such contracts shall be subject to the approval of the governor and state treasurer. SEC. 32. Except as otherwise provided in this constitution, no law shall extend the term of any public officer or increase or diminish his salary or emolument after his election or appointment; but this shall not be construed to forbid the legislature from fixing the salaries or emoluments of those officers first elected or appointed under this constitution, if such salaries or emoluments are not fixed by its provisions. SEC. 33. All bills for raising revenue shall originate in the house of representatives; but the senate may propose amendments as in case of other bills. SEC. 34. The general appropriation bills shall embrace nothing but appropriations for the ordinary expenses of the legislative, executive and judicial departments of the State, interest on the public debt and for public schools. All other appropriations shall be made by separate bills, each embracing but one subject. SEC. 35. Except for interest on public debt money shall be paid out of the treasury only on appropriations made by the legislature, and in no case otherwise than upon warrant drawn by the proper officer in pursuance of law. SEC. 36. No appropriation shall be made for charitable, industrial, educational or benevolent purposes to any person, corporation or community not under the absolute control of the State, nor to any denominational or sectarian institution or association. SEC. 37. The legislature shall not delegate to any special commissioner, private corporation or association, any power to make, supervise or interfere with any municipal improvements, moneys, property or effects, whether held in trust or otherwise, to levy taxes, or to perform any municipal functions whatever. SEC. 38. No act of the legislature shall authorize the investment of trust funds by executors, administrators, guardians or trustees in the bonds or stock of any private corporation. SEC. 39. The legislature shall have no power to pass any law authorizing the State or any county in the, State, to contract any debt or obligation in the construction of any railroad, or give or loan its credit to or in aid of the construction of the same. SEC. 40. No obligation or liability of any person, association or corporation, held or owned by the State, or any municipal corporation therein, shall ever be exchanged, transferred, remitted, released or postponed, or in any way diminished by the legislature; nor shall such liability or obligation be extinguished, except by the payment thereof into the proper treasury. SEC. 41. Every order, resolution or vote, in which the concurrence of both houses may be necessary, except on the question of adjournment, or relating solely to the transaction of the business of the two houses, shall be presented to the governor and before it shall take effect be approved by him, or, being disapproved, be re-passed by two-thirds of both houses, as prescribed in the case of a bill. SEC. 42. If any person elected to either house of the legislature shall offer or promise to give his vote or influence in favor of or against any measure or proposition, pending or to be introduced into the legislature in consideration or upon condition that any other person elected to the same legislature will give, or promise or assent to give his vote or influence in favor of or against any other measure or proposition pending or proposed to be introduced into such legislature, the person making such offer or promise shall be deemed guilty of solicitation of bribery. If any member of the legislature shall give his vote or influence for or against any measure or proposi- tion pending or to be introduced in such legislature, or offer, promise or assent thereto, upon condition that any other member will give or will promise or assent to give his vote or influence in favor of or against any other measure or proposition pending or to be introduced in such legislature, or in consideration that any other member has given his vote or influence for or against any other measure or proposition in such legislature, he shall be deemed guilty of bribery, and any member of the legislature, or person elected thereto, who shall be guilty of either of such offences, shall be expelled and shall not thereafter be eligible to the legislature, and on conviction thereof in the civil courts shall be liable to such further penalty as may be prescribed by law. SEC. 43. Any person who shall directly or indirectly offer, give or promise any money or thing of value, testimonial privilege or personal advantage, to any executive or judicial officer or member of the legislature, to influence him in the performance of any of his official duties shall be deemed guilty of bribery, and be punished in such manner as shall be provided by law. SEC. 44. Any person may be compelled to testify in any lawful investigation or judicial proceeding against any person who may be te offense of bribery or corrupt solicitation, or practices of solicitation and shall not be permitted to withhold his testimony upon the ground that it may criminate himself or subject him to public infamy; but such testimony shall not afterwards be used against him in any judicial proceeding, except for perjury in giving such testimony, and any person convicted of either of the offences aforesaid shall , as part of the punishment therefor, be disqualified from holding any office or position of honor, trust or profit in this State. SEC. 45. The offense of corrupt solicitation of members of the legislature or of public officers of the State, or of any Municipal division thereof, and the occupation or practice of solicitation of such members or officers to influence their official action shall be defined by law and shall be punishable by fine and imprisonment. SEC. 46. A member who has a personal or private interest in any measure or bill proposed or pending before the legislature shall disclose the fact to the house of which he is a member, and shall not vote thereon. APPORTIONMENT SEC. 1. One representative in the congress of the United States shall be elected from the State at large, the Tuesday next after the first Monday in November, 1890, and thereafter at such times and places, and in such manner as may be prescribed by law. When a new apportionment shall be made by congress, the legislature shall divide the State into congressional districts accordingly. [See constitution notes for section numbering, these were originally in a "floating

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