

Constitutional amendments

These two propositions appear on the November 4th ballot:

Proposed Constitutional Amendment A

The adoption of this amendment would clarify and modernize the oath of office taken by all elected and appointed officials of whom the oath is required: The new oath will be: **"I do solemnly swear (or affirm) that I will support, obey and defend the constitution of the United States, and the constitution of the state of Wyoming, that I have not knowingly violated any law related to my election or appointment, or caused it to be done by others; and that I will discharge the duties of my office with fidelity."**

What follows is Article 6, Section 20 of the Wyoming Constitution at this time:

"Senators and representatives and all judicial, state and county officers shall, before entering on the duties of their respective offices, take and subscribe the following oath or affirmation:

"I do solemnly swear (or affirm) that I will support, obey and defend the constitution of the United States, and the constitution of *this* the state of Wyoming, and that I will discharge the duties of my office with fidelity; *that I have not paid or contributed, or promised to pay or contribute, either directly or indirectly, any money or other valuable thing, to procure my nomination or election, (or appointment) except for necessary and proper expenses expressly authorized by law;* that I have not, knowingly, violated any *election law of the state related to my election or appointment, or procured it to be done by others in my behalf.*"; *that I will not knowingly receive, directly or indirectly, any money or other valuable thing for the performance or nonperformance of any act or duty pertaining to my office, other than the compensation allowed by law.*"

Basically, what is italicized will be removed from the oath.

The sponsors of this amendment should have written that the change would *shorten* the oath of office. It does not need clarification or modernization in its present form. Office takers and residents understand the oath as it currently exists. Notice that the omissions are primarily to do with taking money improperly.

Wyoming statutes are notoriously poorly and incompletely written. But, a constitutional amendment to change the oath will provide an easier path to mischief. Remember, the Wyoming Supreme Court cancelled the intentions of 77% of Wyoming voters who wanted term limits to apply to federal and state offices and legislative offices. Basically, their ruling was that term limits would be another "qualification of office" that was not specifically required in the Wyoming Constitution and, as such, because those words were not there, term limits imposed by statute were unconstitutional.

The oath of office should remain as it has been in the Wyoming Constitution.

Proposed Constitutional Amendment B

"The passage of this amendment would change the requirement for petition signatures for an initiative or referendum. Currently a petition must be signed by at least fifteen percent (15%) of the qualified voters in at least two-thirds (2/3) of the counties, as determined by those who voted in the last general election. This amendment would change the requirement to at least fifteen percent (15%) of the qualified voters in at least two-thirds (2/3) of the senate districts, as determined by those who voted in the last general election."

The right of initiative and referendum is guaranteed under the Wyoming Constitution. The legislative branch of Wyoming government obviously does not agree that this provision should be easily available to residents. They have progressively made exercising this right more difficult. First it was changed from allowing signatures to come from anywhere in Wyoming and restricted eligibility to signers from 2/3 of the counties. In other words, petitioners would have to gain signatures from at least 15% of the voters in the latest general election - in at least 16 of Wyoming's 23 counties.

In their attempt to make it more difficult to gain access to the ballot, it was made easier. Fifteen percent (15%) of the votes in Niobrara County is much easier to acquire than signatures of fifteen percent (15%) of the votes in Laramie County.

Before the last change, when 15% percent of total Wyoming voters' signatures were required without regard to where they came from, a concerted effort in the largest cities could suffice. Instead of accepting the drafters of the constitution's intent of allowing access to the ballot for residents to make or repeal law, legislators want no competition from residents and are now trying to make it still more difficult to use initiative and referendum.

Again wanting to prevent petitioners from gaining access to the ballot, the above proposed constitutional amendment would add further roadblocks. And, make no mistake about it, it is a deliberate effort to restrict use of constitutionally provided initiative and referendum. Petitioners would, if this passed, have to acquire signatures of at least 15% of the voters in at least 20 senate districts of the state.

Instead of being asked, "are you a registered voter in Laramie County?," voters would be asked "what senate district are you registered to vote in?" Most don't know and won't bother to sign. In multiple senate district counties such as Laramie, Campbell, Fremont and Natrona counties, gaining enough signatures in all districts would be more difficult by cube. The confusion in signature gathering would be unbelievable. Senate District 14 in western Wyoming includes part of Sweetwater, Lincoln, Uinta and Sublette County. Imagine that nightmare.

Vote NO on both "A" and "B". Change is unnecessary and this is a bad direction.

Mary Throne

I don't know Mary Throne. As best I can remember, I've never spoken with nor communicated with Mary Throne. She has not purchased advertising in the Cheyenne Herald. She is a candidate for re-election to her Wyoming House seat without opposition.

I mention her here because she has done an outstanding job of placing, or having placed, her campaign yard signs where they belong and where they are allowed.

Mary has a great number of yard signs out and I have never found one improperly placed. Unlike many others, she does not have them placed in the public right-of-way even when that visibility would be far better than where her signs are. I have seen a sign of hers inside a fenced yard rather than on the grassy median where it could be better seen.

One might think Mary Throne does it right because she is an attorney but other attorneys are major violators of where signs can and should be placed.

With the possible exception of northern candidates Nick Carter and Gary Trauner, the biggest local offender in placement of yard signs is probably Bob Nicholas. Interestingly, Nicholas was recently retained to serve as city attorney until January 2nd. He obviously isn't familiar with City Code (Sign Ordinance) so he may find it a bit difficult to enforce it.

I kind of exempt Carter and Trauner because in other counties and cities in Wyoming, placement of yard signs in public rights-of-way (grassy medians between sidewalks and streets) is permitted with the nearest resident's approval.

There are obviously many yard signs placed without the property owner's knowledge or approval. Almost all signs on vacant lots, in fields, and in front of houses for sale are there without the owner's permission. Not all but most. I know for a fact that yard signs have been put on land without owner approval because an owner called me to report the violation. He figured there was no point in calling the city because nothing would result so he called me to let me know. The feeling was that a candidate who would violate the law to put up a yard sign would not be a good representative in elective office - he/she would not likely worry much about city ordinances or state laws.

Most candidates tried valiantly to comply with rules involving placement of yard signs this cycle. And, that's good because there is no enforcement and violators gain an advantage over those who do put the signs where they're allowed. Many were close to perfect but Mary Throne was one I found with a large quantity of signs and all of them where they should be. Mary, you may be a Democrat, but I respect your efforts to comply with the rules. Thank you for playing fair.

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