

1 **SENATE FLOOR VERSION**

2 February 26, 2020

3 SENATE JOINT  
4 RESOLUTION NO. 41

By: Standridge of the Senate

5 and

6 Echols of the House

7  
8 A Joint Resolution making two separate applications  
9 to the United States Congress to call a convention of  
10 the states under Article V of the United States  
11 Constitution for the purpose of proposing amendments  
12 to the United States Constitution related to  
13 balancing the federal budget, imposing fiscal  
14 restraints on the federal government, limiting the  
15 power and jurisdiction of the federal government and  
16 limiting the terms of office for its officials and  
17 for members of Congress; providing for construction  
18 of applications; directing transmission; and  
19 specifying that applications constitute continuing  
20 application.

21 WHEREAS, the founders of the Constitution of the United States,  
22 through the enactment of Article V, empowered state legislators to  
23 be guardians of liberty against future abuses of power by the  
24 federal government; and

WHEREAS, the federal government has created a crushing national  
debt through improper and imprudent spending; and

1       WHEREAS, the federal government has invaded the legitimate roles  
2 of the states through the manipulative process of federal mandates,  
3 most of which are unfunded to a great extent; and

4       WHEREAS, the federal government has ceased to live under a  
5 proper interpretation of the Constitution of the United States; and

6       WHEREAS, it is the solemn duty of the states to protect the  
7 liberty of our people, particularly for the generations to come, by  
8 proposing amendments to the Constitution of the United States  
9 through a convention of the states under Article V of the United  
10 States Constitution to place clear restraints on these and related  
11 abuses of power; and

12       WHEREAS, the citizens of the State of Oklahoma believe that it  
13 is in the best interest of the people of the United States to amend  
14 the United States Constitution in order to adopt a balanced budget  
15 amendment and to address the areas of overreach of the federal  
16 government; and

17       WHEREAS, as early as 1976, the Thirty-fifth Oklahoma Legislature  
18 enacted House Joint Resolution No. 1049, calling for an Article V  
19 Convention for the purpose of preparing and submitting to the states  
20 an amendment "requiring in the absence of a national emergency that  
21 the total of all federal appropriations made by the Congress for any  
22 fiscal year may not exceed the total of all estimated federal  
23 revenue for that fiscal year"; and

24

1       WHEREAS, the Thirty-fifth Oklahoma Legislature acknowledged in  
2 House Joint Resolution No. 1049 the critical need for a federal  
3 balanced budget amendment with the prophetic statement "believing  
4 that fiscal irresponsibility at the federal level, with the  
5 inflation which results from this policy, is the greatest threat  
6 which faces our nation, we firmly believe that constitutional  
7 restraint is necessary to bring the fiscal discipline needed to  
8 restore fiscal responsibility"; and

9       WHEREAS, pursuant to the provisions of Article V of the  
10 Constitution of the United States, each state may request Congress  
11 to provide for a convention to propose amendments.

12       NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF  
13 REPRESENTATIVES OF THE 2ND SESSION OF THE 57TH OKLAHOMA LEGISLATURE:

14       SECTION 1. The Oklahoma Legislature hereby makes two separate  
15 applications to Congress, under the provisions of Article V of the  
16 Constitution of the United States. The first such application is  
17 set forth in Sections 2 through 5 of this resolution. The second  
18 such application is set forth in Sections 6 through 9 of this  
19 resolution.

20       SECTION 2. The Oklahoma Legislature hereby applies to Congress,  
21 under the provisions of Article V of the Constitution of the United  
22 States, for the calling of a convention of the states limited to  
23 proposing an amendment to the Constitution of the United States  
24 requiring that in the absence of a national emergency the total of

1 all federal appropriations made by the Congress for any fiscal year  
2 may not exceed the total of all estimated federal revenues for that  
3 fiscal year, together with any related and appropriate fiscal  
4 restraints.

5 SECTION 3. The Secretary of State is hereby directed to  
6 transmit copies of this application to the President and Secretary  
7 of the United States Senate, the Speaker and Clerk of the United  
8 States House of Representatives and members of the United States  
9 Senate and House of Representatives from this state; also to  
10 transmit copies hereof to the presiding officers of the legislative  
11 houses in several states, requesting their cooperation.

12 SECTION 4. This application is to be considered as covering the  
13 same subject matter as the presently outstanding balanced budget  
14 applications from other states including, but not limited to,  
15 previously adopted applications from Alabama, Alaska, Arkansas,  
16 Colorado, Delaware, Florida, Georgia, Indiana, Iowa, Kansas,  
17 Louisiana, Maryland, Michigan, Mississippi, Missouri, Nebraska,  
18 Nevada, New Hampshire, New Mexico, North Carolina, North Dakota,  
19 Ohio, Pennsylvania, South Dakota, Tennessee, Texas, Utah and West  
20 Virginia; and this application shall be aggregated with same for the  
21 purpose of attaining the two-thirds (2/3) of states necessary to  
22 require the calling of a convention, but shall not be aggregated  
23 with any applications on any other subject.

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1 SECTION 5. This application constitutes a continuing  
2 application in accordance with Article V of the Constitution of the  
3 United States until the legislatures of at least two-thirds (2/3) of  
4 the several states have made applications on the same subject. It  
5 supersedes all previous applications by this Legislature on the same  
6 subject.

7 SECTION 6. The Legislature of the State of Oklahoma hereby  
8 applies to Congress, under the provisions of Article V of the  
9 Constitution of the United States, for the calling of a convention  
10 of the states limited to proposing amendments to the United States  
11 Constitution that impose fiscal restraints on the federal  
12 government, limit the power and jurisdiction of the federal  
13 government, and limit the terms of office for its officials and for  
14 members of Congress.

15 SECTION 7. This application shall be aggregated with the  
16 applications of the various states and together with any future  
17 applications for a convention for the specific and exclusive purpose  
18 of proposing amendments to the Constitution of the United States  
19 limited to the purposes stated herein.

20 SECTION 8. The Secretary of State is hereby directed to  
21 transmit copies of this application to the President and Secretary  
22 of the United States Senate and to the Speaker and Clerk of the  
23 United States House of Representatives, to transmit copies to the  
24 members of the United States Senate and United States House of

1 Representatives from this state, and to transmit copies hereof to  
2 the presiding officers of each of the legislative houses in the  
3 several states, requesting their cooperation.

4 SECTION 9. This application constitutes a continuing  
5 application in accordance with Article V of the Constitution of the  
6 United States until the legislatures of at least two-thirds (2/3) of  
7 the several states have made applications on the same subject, or  
8 until December 31, 2028, whichever occurs earlier.

9 COMMITTEE REPORT BY: COMMITTEE ON RULES  
10 February 26, 2020 - DO PASS

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