

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   1st Session of the 58th Legislature (2021)

4   ENGROSSED SENATE

5   JOINT

6   RESOLUTION NO. 23

By: Standridge and Bullard of  
the Senate

and

Echols and **Lepak** of the  
House

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11                   A Joint Resolution naming the resolution and making  
12                   two separate applications to the United States  
13                   Congress to call a convention of the states under  
14                   Article V of the United States Constitution for the  
15                   purpose of proposing amendments to the United States  
16                   Constitution related to balancing the federal budget,  
17                   imposing fiscal restraints on the federal government,  
18                   limiting the power and jurisdiction of the federal  
19                   government and limiting the terms of office for its  
20                   officials and for members of Congress; providing for  
21                   construction of applications; directing transmission;  
22                   specifying that applications constitute continuing  
23                   application; and providing for noncodification.  
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SECTION 1.           NEW LAW           A new section of law not to be  
codified in the Oklahoma Statutes reads as follows:

          This Resolution shall be known and may be cited as the "United  
States Senator, Dr. Tom Coburn Resolution of 2021".

1       WHEREAS, the founders of the Constitution of the United States,  
2 through the enactment of Article V, empowered state legislators to  
3 be guardians of liberty against future abuses of power by the  
4 federal government; and

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

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

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

12       WHEREAS, it is the solemn duty of the states to protect the  
13 liberty of our people, particularly for the generations to come, by  
14 proposing amendments to the Constitution of the United States  
15 through a convention of the states under Article V of the United  
16 States Constitution to place clear restraints on these and related  
17 abuses of power; and

18       WHEREAS, the citizens of the State of Oklahoma believe that it  
19 is in the best interest of the people of the United States to amend  
20 the United States Constitution in order to adopt a balanced budget  
21 amendment and to address the areas of overreach of the federal  
22 government; and

23       WHEREAS, as early as 1976, the Thirty-fifth Oklahoma Legislature  
24 enacted House Joint Resolution No. 1049, calling for an Article V

1 Convention for the purpose of preparing and submitting to the states  
2 an amendment "requiring, in the absence of a national emergency,  
3 that the total of all federal appropriations made by the Congress  
4 for any fiscal year may not exceed the total of all estimated  
5 federal revenue for that fiscal year"; and

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

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

17 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF  
18 REPRESENTATIVES OF THE 1ST SESSION OF THE 58TH OKLAHOMA LEGISLATURE:

19 SECTION 2. The Oklahoma Legislature hereby makes two separate  
20 applications to Congress, under the provisions of Article V of the  
21 Constitution of the United States. The first such application is  
22 set forth in Sections 3 through 6 of this resolution. The second  
23 such application is set forth in Sections 7 through 10 of this  
24 resolution.

1 SECTION 3. The Oklahoma Legislature hereby applies to Congress,  
2 under the provisions of Article V of the Constitution of the United  
3 States, for the calling of a convention of the states limited to  
4 proposing an amendment to the Constitution of the United States  
5 requiring that, in the absence of a national emergency, the total of  
6 all federal appropriations made by the Congress for any fiscal year  
7 may not exceed the total of all estimated federal revenues for that  
8 fiscal year, together with any related and appropriate fiscal  
9 restraints.

10 SECTION 4. The Secretary of State is hereby directed to  
11 transmit copies of this application to the President and Secretary  
12 of the United States Senate, the Speaker and Clerk of the United  
13 States House of Representatives and members of the United States  
14 Senate and House of Representatives from this state; also, to  
15 transmit copies hereof to the presiding officers of the legislative  
16 houses in several states requesting their cooperation.

17 SECTION 5. This application is to be considered as covering the  
18 same subject matter as the presently outstanding balanced budget  
19 applications from other states including, but not limited to,  
20 previously adopted applications from Alabama, Alaska, Arkansas,  
21 Colorado, Delaware, Florida, Georgia, Indiana, Iowa, Kansas,  
22 Louisiana, Maryland, Michigan, Mississippi, Missouri, Nebraska,  
23 Nevada, New Hampshire, New Mexico, North Carolina, North Dakota,  
24 Ohio, Pennsylvania, South Dakota, Tennessee, Texas, Utah and West

1 Virginia; and this application shall be aggregated with same for the  
2 purpose of attaining the two-thirds (2/3) of states necessary to  
3 require the calling of a convention, but shall not be aggregated  
4 with any applications on any other subject.

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

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

19 SECTION 8. This application shall be aggregated with the  
20 applications of the various states and, together with any future  
21 applications, for a convention for the specific and exclusive  
22 purpose of proposing amendments to the Constitution of the United  
23 States limited to the purposes stated herein.

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

9 SECTION 10. This application constitutes a continuing  
10 application in accordance with Article V of the Constitution of the  
11 United States until the legislatures of at least two-thirds (2/3) of  
12 the several states have made applications on the same subject.

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14 COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 04/08/2021 - DO PASS,  
As Coauthored.

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