

1 **SENATE FLOOR VERSION**

2 February 24, 2021

3 SENATE JOINT
4 RESOLUTION NO. 23

By: Standridge and Bullard

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

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

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

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

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

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

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

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

19 WHEREAS, as early as 1976, the Thirty-fifth Oklahoma Legislature
20 enacted House Joint Resolution No. 1049, calling for an Article V
21 Convention for the purpose of preparing and submitting to the states
22 an amendment "requiring, in the absence of a national emergency,
23 that the total of all federal appropriations made by the Congress

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1 for any fiscal year may not exceed the total of all estimated
2 federal revenue for that fiscal year"; and

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

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

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

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

22 SECTION 3. The Oklahoma Legislature hereby applies to Congress,
23 under the provisions of Article V of the Constitution of the United
24 States, for the calling of a convention of the states limited to

1 proposing an amendment to the Constitution of the United States
2 requiring that, in the absence of a national emergency, the total of
3 all federal appropriations made by the Congress for any fiscal year
4 may not exceed the total of all estimated federal revenues for that
5 fiscal year, together with any related and appropriate fiscal
6 restraints.

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

14 SECTION 5. This application is to be considered as covering the
15 same subject matter as the presently outstanding balanced budget
16 applications from other states including, but not limited to,
17 previously adopted applications from Alabama, Alaska, Arkansas,
18 Colorado, Delaware, Florida, Georgia, Indiana, Iowa, Kansas,
19 Louisiana, Maryland, Michigan, Mississippi, Missouri, Nebraska,
20 Nevada, New Hampshire, New Mexico, North Carolina, North Dakota,
21 Ohio, Pennsylvania, South Dakota, Tennessee, Texas, Utah and West
22 Virginia; and this application shall be aggregated with same for the
23 purpose of attaining the two-thirds (2/3) of states necessary to
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1 require the calling of a convention, but shall not be aggregated
2 with any applications on any other subject.

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

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

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

22 SECTION 9. The Secretary of State is hereby directed to
23 transmit copies of this application to the President and Secretary
24 of the United States Senate and to the Speaker and Clerk of the

1 United States House of Representatives, to transmit copies to the
2 members of the United States Senate and United States House of
3 Representatives from this state, and to transmit copies hereof to
4 the presiding officers of each of the legislative houses in the
5 several states, requesting their cooperation.

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

10 COMMITTEE REPORT BY: COMMITTEE ON RULES
11 February 24, 2021 - DO PASS
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