

STATE OF OKLAHOMA

1st Session of the 49th Legislature (2003)

HOUSE JOINT
RESOLUTION HJR1008

By: Graves

AS INTRODUCED

A Joint Resolution relating to a federal constitutional convention; rescinding, repealing, canceling, voiding and superseding any and all extant applications by the Legislature of the State of Oklahoma heretofore made during any session thereof to the Congress of the United States of America to call a convention pursuant to the terms of Article V of the United States Constitution for proposing one or more amendments to that Constitution; urging the legislatures of other states to do the same; stating support for certain legislation and constitutional amendments; and directing distribution.

WHEREAS, the Legislature of the State of Oklahoma, acting with the best of intentions, has, at various times, and during various sessions, previously made applications to the Congress of the United States of America to call one or more conventions to propose either a single amendment concerning a specific subject or to call a general convention to propose an unspecified and unlimited number of amendments to the United States Constitution, pursuant to the provisions of Article V thereof; and

WHEREAS, former Chief Justice of the United States of America Warren E. Burger, former Associate Justice of the United States Supreme Court Arthur J. Goldberg, and other leading constitutional scholars agree that such a convention may propose sweeping changes to the Constitution, any limitations or restrictions purportedly imposed by the states in applying for such a convention or conventions to the contrary notwithstanding, thereby creating an imminent peril to the well-established rights of the citizens and the duties of various levels of government; and

WHEREAS, the Constitution of the United States of America has been amended many times in the history of this nation and may be amended many more times, without the need to resort to a constitutional convention, and has been interpreted for more than two hundred (200) years and has been found to be a sound document which protects the lives and liberties of the citizens; and

WHEREAS, there is not need for, rather, there is great danger in, a new Constitution or in opening the Constitution to sweeping changes, the adoption of which would only create legal chaos in this nation and only begin the process of another two centuries of litigation over its meaning and interpretation.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE 1ST SESSION OF THE 49TH OKLAHOMA LEGISLATURE:

THAT the Legislature does hereby rescind, repeal, cancel, nullify, and supersede to the same effect as if they had never been passed, any and all extant applications by the Legislature of the State of Oklahoma to the Congress of the United States of America to call a convention to propose amendments to the Constitution of the United States of America, pursuant to the terms of Article V thereof, regardless of when or by which session or sessions of the Oklahoma Legislature such applications were made and regardless of whether such applications were for a limited convention to propose one or more amendments regarding one or more specific subjects and purposes or for a general convention to propose an unlimited number of amendments upon an unlimited number of subjects.

THAT the Legislature of the State of Oklahoma urges the legislatures of each and every state which has applied to Congress to call a convention for either a general or a limited constitutional convention, to repeal and withdraw such applications.

THAT notwithstanding this resolution, the Oklahoma Legislature still supports balancing the federal budget, protecting human life and allowing prayer in public schools, and urges Congress to enact

legislation balancing the federal budget, to enact legislation, pursuant to Article III of the United States Constitution, removing jurisdiction of federal courts to consider cases involving abortion and school prayer, and to submit constitutional amendments to the states in these respects where necessary.

THAT copies of this resolution be dispatched to the Secretary of State, to the presiding officers of both houses of the legislatures of each state in the Union, to the President of the United States, the Vice President of the United States, and to the United States Congress, by sending copies to the Speaker of the United States House of Representatives, to the President Pro Tempore of the United States Senate, to the Oklahoma Congressional Delegation, and to the administrator of General Services, Washington, D.C.

49-1-6055

SD

01/16/03