

1 ENGROSSED HOUSE AMENDMENT
TO

2 ENGROSSED SENATE JOINT
3 RESOLUTION NO. 11

By: Brogdon, Jolley and
Newberry of the Senate

4 and

5 Dank of the House

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8 (Joint Resolution - constitutional convention -
9 rescinding applications -

10 distribution)

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13 AUTHORS: Add the following House Coauthors: Nelson, Reynolds,
14 Kern, Wright (John) and Tibbs

15 AMENDMENT NO. 1. Strike the stricken title, resolving clause and
16 entire bill and insert

17 "A Joint Resolution rescinding applications by the
18 Legislature to the United States Congress to call a
19 constitutional convention; and directing
20 distribution.

21 WHEREAS, the Legislature of the State of Oklahoma, acting with
22 the best of intentions, has, at various times and during various
23 sessions, previously made applications to the Congress of the United
24 States of America to call one or more conventions to propose either

1 a single amendment concerning a specific subject or to call a
2 general convention to propose an unspecified and unlimited number of
3 amendments to the United States Constitution, pursuant to the
4 provisions of Article V thereof; and

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

14 WHEREAS, the Constitution of the United States of America has
15 been amended many times in the history of this nation and may be
16 amended many more times, without the need to resort to a
17 constitutional convention, and has been interpreted for more than
18 200 years and has been found to be a sound document which protects
19 the lives and liberties of the citizens; and

20 WHEREAS, there is no need for, and in fact, there is great
21 danger in, a new constitution or in opening the Constitution to
22 sweeping changes, the adoption of which would only create legal
23 chaos in this nation and only begin the process of another two
24 centuries of litigation over its meaning and interpretation.

1 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF
2 REPRESENTATIVES OF THE 1ST SESSION OF THE 52ND OKLAHOMA LEGISLATURE:

3 SECTION 1. The Legislature does hereby rescind, repeal, cancel,
4 nullify and supersede to the same effect as if they had never been
5 passed, any and all extant applications by the Legislature to the
6 Congress of the United States of America to call a convention to
7 propose amendments to the Constitution of the United States of
8 America pursuant to the terms of Article V thereof, regardless of
9 when or by which session or sessions of the Legislature such
10 applications were made and regardless of whether such applications
11 were for a limited convention to propose one or more amendments
12 regarding one or more specific subjects and purposes or for a
13 general convention to propose an unlimited number of amendments upon
14 an unlimited number of subjects.

15 SECTION 2. The Legislature urges the legislatures of each and
16 every state which has applied to Congress to call a convention for
17 either a general or a limited constitutional convention to repeal
18 and withdraw such applications.

19 SECTION 3. A copy of this resolution shall be distributed to
20 the Secretary of State, to the presiding officers of both houses of
21 the legislatures of each state in the Union, to the President of the
22 United States Senate, to the Speaker of the United States House of
23 Representatives, to all members of the Oklahoma Congressional
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1 Delegation and to the Administrator of the United States General
2 Services Administration."

3 Passed the House of Representatives the 22nd day of April, 2009.

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6 Presiding Officer of the House of
7 Representatives

8 Passed the Senate the ____ day of _____, 2009.

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Presiding Officer of the Senate

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