

ENROLLED SENATE
JOINT
RESOLUTION NO. 11

By: Brogdon, Jolley, Newberry
and Stanislowski of the
Senate

and

Dank, Nelson, Reynolds,
Kern, Wright (John) and
Tibbs of the House

A Joint Resolution rescinding applications by the
Legislature to the United States Congress to call a
constitutional convention; 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, Warren E. Burger, former Chief Justice of the United
States Supreme Court, Arthur J. Goldberg, former Justice of the
United States Supreme Court, and other leading constitutional
scholars agree that such a convention may propose sweeping changes
to the Constitution, any limitations or restrictions to the contrary
imposed by the states in applying for such a convention
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 200 years and has been found to be a sound document which protects the lives and liberties of the citizens; and

WHEREAS, there is no need for, and in fact, 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 SENATE AND THE HOUSE OF REPRESENTATIVES OF THE 1ST SESSION OF THE 52ND OKLAHOMA LEGISLATURE:

SECTION 1. 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 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 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.

SECTION 2. The Legislature 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.

SECTION 3. A copy of this resolution shall be distributed 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 Senate, to the Speaker of the United States House of Representatives, to all members of the Oklahoma Congressional Delegation and to the Administrator of the United States General Services Administration.

Passed the Senate the 5th day of May, 2009.

Presiding Officer of the Senate

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

Presiding Officer of the House
of Representatives