

SJR 11

1 THE STATE SENATE  
2 Monday, February 23, 2009

3 Senate Joint  
4 Resolution No. 11  
5 As Amended

6 SENATE JOINT RESOLUTION NO. 11 - By: Brogdon of the Senate and Dank  
7 of the House.

8 [ Joint Resolution - constitutional convention - rescinding  
9 applications - distribution ]

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

18 WHEREAS, Warren E. Burger, former Chief Justice of the United  
19 States Supreme Court, Arthur J. Goldberg, former Justice of the  
20 United States Supreme Court, and other leading constitutional  
21 scholars agree that such a convention may propose sweeping changes  
22 to the Constitution, any limitations or restrictions to the contrary  
23 imposed by the states in applying for such a convention  
24 notwithstanding, thereby creating an imminent peril to the well-

(Bold face denotes Committee Amendments)

1 established rights of the citizens and the duties of various levels  
2 of government; and

3 WHEREAS, the Constitution of the United States of America has  
4 been amended many times in the history of this nation and may be  
5 amended many more times, without the need to resort to a  
6 constitutional convention, and has been interpreted for more than  
7 200 years and has been found to be a sound document which protects  
8 the lives and liberties of the citizens; and

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

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

16 SECTION 1. The Legislature does hereby rescind, repeal, cancel,  
17 nullify and supersede to the same effect as if they had never been  
18 passed, any and all extant applications by the Legislature to the  
19 Congress of the United States of America to call a convention to  
20 propose amendments to the Constitution of the United States of  
21 America pursuant to the terms of Article V thereof, regardless of  
22 when or by which session or sessions of the Legislature such  
23 applications were made and regardless of whether such applications

1 were for a limited convention to propose one or more amendments  
2 regarding one or more specific subjects and purposes or for a  
3 general convention to propose an unlimited number of amendments upon  
4 an unlimited number of subjects.

5 SECTION 2. The Legislature urges the legislatures of each and  
6 every state which has applied to Congress to call a convention for  
7 either a general or a limited constitutional convention to repeal  
8 and withdraw such applications.

9 SECTION 3. A copy of this resolution shall be distributed to  
10 the Secretary of State, to the presiding officers of both houses of  
11 the legislatures of each state in the Union, to the President of the  
12 United States Senate, to the Speaker of the United States House of  
13 Representatives, to all members of the Oklahoma Congressional  
14 Delegation and to the Administrator of the United States General  
15 Services Administration.

16 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY, dated 2-17-09 - DO  
17 PASS, As Amended and Coauthored.