

1 ENGROSSED HOUSE AMENDMENT  
2 TO ENGROSSED SENATE JOINT  
3 RESOLUTION NO. 4

By: Standridge, Mazzei, Crain,  
Griffin, Shaw, Bingman,  
Brecheen, Brown and Yen of  
the Senate

and

Echols and Moore of the  
House

[ Resolution - convention of the states - power and  
jurisdiction of the federal government - terms of  
office - transmission ]

11 AUTHORS: Remove Representative Echols as principal House author and  
12 substitute with Representative Banz as principal House  
13 author and add Representatives Lepak, Hickman, McCullough,  
Echols and Cockroft as coauthors

14 AMENDMENT NO. 1: Strike the stricken title, resolving clause and  
15 entire resolution and insert

16 "A Joint Resolution making two separate applications  
17 to the United States Congress to call a convention  
18 of the states under Article V of the United States  
19 Constitution for the purpose of proposing amendments  
20 to the United States Constitution related to  
21 balancing the federal budget, imposing fiscal  
22 restraints on the federal government, limiting the  
23 power and jurisdiction of the federal government and  
24 limiting the terms of office for its officials and  
for members of Congress; providing for construction  
of applications; directing transmission; and  
specifying that applications constitute continuing  
application for certain time period.

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

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

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

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

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

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

23       WHEREAS, as early as 1976, the Thirty-fifth Oklahoma Legislature  
24 enacted House Joint Resolution No. 1049, calling for an Article V

1 Convention for the purpose of preparing and submitting to the states  
2 an amendment "requiring in the absence of a national emergency that  
3 the total of all federal appropriations made by the Congress for any  
4 fiscal year may not exceed the total of all estimated federal  
5 revenue for that fiscal year"; and

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

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

17 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF  
18 REPRESENTATIVES OF THE 2ND SESSION OF THE 55TH OKLAHOMA LEGISLATURE:

19 SECTION 1. The Oklahoma Legislature hereby makes two separate  
20 applications to Congress, under the provisions of Article V of the  
21 Constitution of the United States. The first such application is  
22 set forth in Sections 2 through 5 of this resolution. The second  
23 such application is set forth in Sections 6 through 9 of this  
24 resolution.

1 SECTION 2. The Oklahoma Legislature hereby applies to Congress,  
2 under the provisions of Article V of the Constitution of the United  
3 States, for the calling of a convention of the states limited to  
4 proposing an amendment to the Constitution of the United States  
5 requiring that in the absence of a national emergency the total of  
6 all federal appropriations made by the Congress for any fiscal year  
7 may not exceed the total of all estimated federal revenues for that  
8 fiscal year, together with any related and appropriate fiscal  
9 restraints.

10 SECTION 3. The Secretary of State is hereby directed to  
11 transmit copies of this application to the President and Secretary  
12 of the United States Senate, the Speaker and Clerk of the United  
13 States House of Representatives and members of the United States  
14 Senate and House of Representatives from this state; also to  
15 transmit copies hereof to the presiding officers of the legislative  
16 houses in several states, requesting their cooperation.

17 SECTION 4. This application is to be considered as covering the  
18 same subject matter as the presently outstanding balanced budget  
19 applications from other states, including, but not limited to,  
20 previously adopted applications from Alabama, Alaska, Arkansas,  
21 Colorado, Delaware, Florida, Georgia, Indiana, Iowa, Kansas,  
22 Louisiana, Maryland, Michigan, Mississippi, Missouri, Nebraska,  
23 Nevada, New Hampshire, New Mexico, North Carolina, North Dakota,  
24 Ohio, Pennsylvania, South Dakota, Tennessee, Texas, Utah and West

1 Virginia; and this application shall be aggregated with same for the  
2 purpose of attaining the two-thirds (2/3) of states necessary to  
3 require the calling of a convention, but shall not be aggregated  
4 with any applications on any other subject.

5 SECTION 5. This application constitutes a continuing  
6 application in accordance with Article V of the Constitution of the  
7 United States until the legislatures of at least two-thirds (2/3) of  
8 the several states have made applications on the same subject, or  
9 until December 31, 2023, whichever occurs earlier. It supersedes  
10 all previous applications by this Legislature on the same subject.

11 SECTION 6. The Legislature of the State of Oklahoma hereby  
12 applies to Congress, under the provisions of Article V of the  
13 Constitution of the United States, for the calling of a convention  
14 of the states limited to proposing amendments to the United States  
15 Constitution that impose fiscal restraints on the federal  
16 government, limit the power and jurisdiction of the federal  
17 government, and limit the terms of office for its officials and for  
18 members of Congress.

19 SECTION 7. This application shall be aggregated with the  
20 applications of Georgia (SR736, 2014), Florida (SM476, 2014), Alaska  
21 (HJR22, 2014), Alabama (HJR112, 2015), Tennessee (SJR67, 2016) and  
22 Indiana (SJR14, 2016) together with any future applications for a  
23 convention for the specific and exclusive purpose of proposing  
24

1 amendments to the Constitution of the United States limited to the  
2 purposes stated herein.

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

11 SECTION 9. This application constitutes a continuing  
12 application in accordance with Article V of the Constitution of the  
13 United States until the legislatures of at least two-thirds (2/3) of  
14 the several states have made applications on the same subject, or  
15 until December 31, 2023, whichever occurs earlier."

16 Passed the House of Representatives the 18th day of April, 2016.

17  
18 \_\_\_\_\_  
19 Presiding Officer of the House  
20 of Representatives

21 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2016.

22  
23 \_\_\_\_\_  
24 Presiding Officer of the Senate

1 ENGROSSED SENATE  
JOINT  
2 RESOLUTION NO. 4

By: Standridge, Mazzei, Crain,  
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12 WHEREAS, the founders of the Constitution of the United States  
13 empowered state legislators to be guardians of liberty against  
14 future abuses of power by the federal government; and

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

17 Whereas, the federal government has invaded the legitimate roles  
18 of the states through the manipulative process of federal mandates,  
19 most of which are unfunded to a great extent; and

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

22 WHEREAS, it is the solemn duty of the states to protect the  
23 liberty of our people, particularly for the generations to come, by  
24 proposing amendments to the Constitution of the United States

1 through a convention of the states under Article V of the United  
2 States Constitution to place clear restraints on these and related  
3 abuses of power.

4 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF  
5 REPRESENTATIVES OF THE 1ST SESSION OF THE 55TH OKLAHOMA LEGISLATURE:

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

13 THAT this application shall be deemed an application for a  
14 convention to address each or all of the subjects herein stated.  
15 For the purposes of determining whether two-thirds of the states  
16 have applied for a convention addressing any of the subjects stated  
17 herein, this application is to be aggregated with the applications  
18 of any other state legislatures for the single subjects of balancing  
19 the federal budget, limiting the power and jurisdiction of the  
20 federal government, or limiting the terms of federal officials; and

21 THAT the Secretary of the Senate is hereby directed to transmit  
22 copies of this application to the President and Secretary of the  
23 United States Senate and to the Speaker and Clerk of the United  
24 States House of Representatives, to transmit copies to the members

