

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 SENATE JOINT
4 RESOLUTION 37

By: Brecheen

5
6 AS INTRODUCED

7 A Joint Resolution calling upon the United States
8 Congress to convene a single issue federal convention
9 called the Balanced Federal Budget Amendment
10 Convention; stating legislative findings and intent;
11 setting forth text of amendment to be presented and
12 voted on at convention; setting forth addendum
13 agreement between State of Oklahoma and other states
14 calling for convention; and directing distribution.

15 WHEREAS, Section 4 of Article IV of the Constitution of the
16 United States guarantees to every State a Republican form of
17 government which gives each State equal standing when calling for a
18 Constitutional Convention. Article V of the Constitution of the
19 United States reserves to the several States the right to call for a
20 federal Constitutional Convention for the purpose of amending the
21 United States Constitution when Congress or the Courts or both
22 Congress and the Courts refuse to address an egregious wrong
23 suffered by the people; and

24 WHEREAS, the States alone have the authority to "limit" the
agenda and authority of a Federal Convention. The States alone can
call for a "Single Issue" Convention by agreeing among themselves on

1 the purpose, terms, conditions, duration, and agenda for the
2 Convention. Congress does not have the authority to define a
3 "Single Issue" Convention. The authority of Congress, under Article
4 V of the United States Constitution, empowers it to convene a
5 Convention as called for and defined by the several States. The
6 several States alone have the authority to enforce the terms and
7 conditions at the BALANCED FEDERAL BUDGET AMENDMENT CONVENTION; and

8 WHEREAS, the BALANCED FEDERAL BUDGET AMENDMENT CONVENTION will
9 be a "Single Issue" Federal Convention. The delegates summoned to
10 this convention by Congress will have the authority to decide only
11 one issue, "Should the proposed BALANCED FEDERAL BUDGET AMENDMENT,
12 as herein written in Section 2 of this resolution, be sent to
13 Congress with instructions to send the Amendment back to the several
14 states for ratification?". The delegates at the BALANCED BUDGET
15 AMENDMENT CONVENTION will have no authority to change the wording of
16 the proposed Amendment, neither will they be authorized to
17 deliberate on or discuss any other subject matter or issue at the
18 convention. The purpose, terms, duration and conditions that will
19 govern the agenda and proceedings of the BALANCED FEDERAL BUDGET
20 AMENDMENT CONVENTION are set forth in the "Addendum Agreement"
21 contained in Section 3 of this Resolution between the Calling
22 States. The only purpose for convening the BALANCED FEDERAL BUDGET
23 AMENDMENT CONVENTION is for the State Delegations, representing the
24 several States, to decide if the BALANCED FEDERAL BUDGET AMENDMENT,

1 as herein written, should be sent to the United States Congress with
2 instructions for Congress to send the amendment to the several
3 States for ratification. Absolutely no other business will be
4 authorized at this convention; and

5 WHEREAS, it is the intent of the Legislature to exert the
6 authority of the states to define the purpose of and limit the
7 agenda of a federal convention to the single issue of an amendment
8 to require a balanced federal budget as set forth in this
9 resolution. Although opponents have and will continue to argue that
10 Congress, the courts and the convention itself could go beyond the
11 scope called for, the Legislature finds that:

12 1. States frequently applied for limited conventions between
13 1789 and 1913, demonstrating a consensus on the process which sets
14 forth the foundation for the amendment called for in this
15 resolution;

16 2. Historically, a limited convention called for under Article
17 V has been distinguished from a general constitutional convention;

18 3. The legislatures of the various states calling for the
19 convention will define the terms and scope of the convention itself;

20 4. While there is no absolute guarantee of the outcome of a
21 convention, the benefits of the constitutional amendment called for
22 must be evaluated against the risk of continuing the unsustainable
23 status quo; and
24

1 5. The delegates to the convention will serve as
2 representatives of the sending legislatures and their citizens and
3 will be expected to comply with and execute the terms of this
4 resolution and those of other sending states.

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

7 SECTION 1. The United States Congress shall convene a Single
8 Issue Federal Convention called the BALANCED FEDERAL BUDGET
9 AMENDMENT CONVENTION under the authority reserved to the States in
10 Article V of the United States Constitution for the sole purpose to
11 decide if the BALANCED FEDERAL BUDGET AMENDMENT, as herein written,
12 should be sent to the United States Congress with instructions for
13 Congress to send the Amendment to the several States for
14 ratification.

15 SECTION 2. The following Amendment, as herein written, is to be
16 presented and voted on by the State Delegations at the BALANCED
17 FEDERAL BUDGET AMENDMENT CONVENTION:

18 BALANCED FEDERAL BUDGET AMENDMENT

19 ARTICLE 28 (or alternate number to be assigned by Congress)

20 Section 1. It is the right of citizens to enjoy a fiscally
21 sound and debt free federal government which is foundational to a
22 free people and must not be violated by the State.

1 Section 2. It is hereby mandated that the United States
2 Congress will conduct the fiscal affairs of the United States
3 Government according to the requirements of this Article.

4 Section 3. A Balanced Federal Budget consists of accurately
5 assigning the sum of all federal receipts (which includes all tax
6 revenues and all other sources of government income) to pay for all
7 Federal expenditures within the current year and with the mandate
8 not to allow expenditures to exceed revenue and income. The
9 following exceptions apply:

10 1. In time of war or national emergency the United States
11 Congress can authorize expenditures to exceed income and revenue as
12 is required to protect the interests and security of the United
13 States and its citizens. However, the United States Congress is
14 required to amortize the repayment of any debt incurred over a
15 maximum of ten years from the end of the war or national emergency.
16 The United States Congress is prohibited from extending the
17 repayment of the debt beyond ten years which includes the repayment
18 of monies borrowed and any interest and other costs that may have
19 accrued in order to service said debt. Congress can repay the debt,
20 in full, in less than ten years, but must pay no less than one-tenth
21 (1/10) of the original amount owed by the Government, including
22 interest and other costs, in each remaining year of the ten year
23 term, unless the balance is less than one-tenth (1/10) of the
24 original amount.

1 2. The United States Congress is authorized to allow
2 expenditures to exceed revenues and income when in the collective
3 wisdom of two-thirds (2/3) of the members of both Houses of the
4 United States Congress it is necessary to do so. However, the
5 United States Congress is required to amortize the repayment of any
6 debt incurred over a maximum of five (5) years from the date said
7 debt was authorized by Congress. The United States Congress is
8 prohibited from extending the repayment of said debt beyond five (5)
9 years which includes the repayment of monies borrowed and any
10 interest and other costs that may have accrued in order to service
11 said debt. Congress can repay the debt, in full, in less than five
12 5 years, but must pay no less than one-fifth (1/5) of the original
13 amount owed by the Government, including interest and other costs,
14 in each remaining year of the five-year term, unless the balance is
15 less than one-fifth (1/5) of the original amount.

16 Section 4. The United States Congress is prohibited from taking
17 any debt that may remain from previous year deficits and including
18 it as part of a new deficit expenditure in current or future years.
19 The repayment of any previous year's debt, as defined in Section
20 3.1, Section 3.2, and Section 6., is a Federal expenditure to be
21 repaid as part of a balanced Federal budget in a current year and/or
22 future year(s) as mandated in Section 3. above.

1 Section 5. It is further prohibited for the United States
2 Congress to extend the repayment of any and all debt incurred beyond
3 the time lines required in this Article.

4 Section 6. All current debt owed by the United States
5 Government at the time this Article is ratified, including accrued
6 interest and other costs to service said debt, must be repaid by the
7 United States Congress within twenty (20) years from the date this
8 Article is ratified by the several States. Congress can repay the
9 current debt, in full, in less than twenty (20) years, but must pay
10 no less than one-twentieth (1/20) of the original amount owed by the
11 Government, including interest and other costs, in each remaining
12 year of the 20-year term, unless the balance is less than one-
13 twentieth (1/20) of the original amount.

14 Section 7. To secure the rights of citizens to enjoy a fiscally
15 sound and debt free federal government, which is foundational to a
16 free people, it is hereby prohibited for the United States Congress
17 to allow federal expenditures to exceed federal revenue and income,
18 in any given year, as mandated by the requirements and allowances of
19 this Article. This Article further mandates that the Speaker of the
20 House and the Majority Leader in the Senate along with all other
21 members in either House who intentionally obstruct the annual
22 balancing of the Federal Budget as defined in this Article will have
23 committed an impeachable offense.
24

1 Section 8. This Article shall be immediately enforceable upon
2 the United States Congress when ratified by three-quarters (3/4) of
3 the several States.

4 SECTION 3. The provisions of this section set forth the
5 ADDENDUM AGREEMENT to this resolution calling for a Balanced Federal
6 Budget Amendment Convention.

7 THIS "ADDENDUM" AGREEMENT IS BETWEEN THE STATE OF OKLAHOMA AND ALL
8 OTHER STATES THAT HAVE LIKEWISE ENTERED INTO THIS AGREEMENT AND HAVE
9 MADE OR WILL BE MAKING A "CALL" ON THE UNITED STATES CONGRESS
10 DIRECTING CONGRESS TO CONVENE A FEDERAL CONVENTION FOR THE PURPOSE
11 OF AMENDING THE UNITED STATES CONSTITUTION WITH THE BALANCED FEDERAL
12 BUDGET AMENDMENT.

13 Article V reserves to the several States the right to Call for a
14 Federal Constitutional Convention for the purpose of amending the
15 United States Constitution when Congress and/or the Courts refuse to
16 address an egregious wrong suffered by the people. Section 4 of
17 Article IV of the United States Constitution guarantees to every
18 State a Republican form of Government which gives each State equal
19 standing when Calling for a Constitutional Convention.

20 This Agreement is an inseparable part of this resolution by the
21 State of Oklahoma that Calls on the United States Congress to
22 convene a Federal Convention for the purpose of amending the United
23 States Constitution with a Balanced Federal Budget Amendment. This
24 binding Agreement includes the text of the proposed Balanced Federal

1 Budget Amendment to be voted on by the Delegates at the Convention
2 and by mutual agreement among the Thirty-four (34) Calling States
3 which will govern the proceedings at the Convention by defining the
4 terms, conditions, limits, duration and agenda for the Delegates and
5 Convention Officials at the Balanced Federal Budget Amendment
6 Convention.

7 The States alone have the authority to limit the agenda and
8 authority of the Delegates at a Federal Convention. Delegates
9 appointed to the convened Convention are not independent agents.
10 Delegates sent to the Convention by the Calling State Legislatures
11 are Ambassadors of the Sending States and are empowered only to
12 complete the instructions given to them by their State Legislatures
13 as defined in this Agreement.

14 The States alone can define a "Single Issue" Convention by
15 agreeing among themselves the purpose, terms, conditions, duration,
16 and agenda for the Delegates at the Convention. State Legislatures
17 alone have authority to define a "Single Issue" Convention. The
18 United States Congress, the Federal Courts and the Executive Branch
19 have no Constitutional authority to define the proceedings at a
20 Federal Convention. Article V of the United States Constitution
21 empowers Congress to convene a Convention as Called for by the
22 States. The Thirty-four (34) Calling States alone have the
23 authority to define and enforce the terms and conditions set forth
24

1 in this Agreement at the Called for and convened Balanced Federal
2 Budget Amendment Convention.

3 The convened Convention will be called the Balanced Federal
4 Budget Amendment Convention. It will be a "Single Issue" Federal
5 Convention as defined in this binding Agreement between the Thirty-
6 four (34) Calling States. The Delegates summoned to this Convention
7 by Congress, and appointed by the State Legislatures, will have the
8 authority to decide only one issue: "Should the Balanced Federal
9 Budget Amendment, as herein written, be sent to Congress with
10 instructions to send the Amendment back to the several States for
11 ratification?" The Delegates at this convened Convention will have
12 no authority to change the text or wording of the proposed
13 Amendment, neither are they authorized to deliberate on or discuss
14 any other subject matter or issue at the Convention. The purpose,
15 terms and/or conditions that will govern the proceedings at the
16 convened Convention are as follows:

17 THE PURPOSE OF THE CONVENTION

18 The only purpose for the Called for Convention, herein entitled
19 the Balanced Federal Budget Amendment Convention, is for the State
20 Delegations, representing the several States, to decide if the
21 Balanced Federal Budget Amendment, as herein written, should be sent
22 to the United States Congress with instructions for Congress to send
23 the Amendment to the several States for ratification. Absolutely no
24 other business is authorized at the Convention. This Agreement

1 between the Calling States defines the terms, conditions, limits,
2 duration and agenda for the Convention and its Delegates.

3 CONVENTION "RULES OF ORDER"

4 The "Convention Rules of Order" that all Delegates, State
5 Delegations and Ex Officio Members are required to follow as a
6 condition of participation at the Convention are described in this
7 Agreement. From time to time, in order to facilitate Convention
8 business, the Convention Chairman may require the Convention to
9 follow "Robert's Rules of Order" when a specific Rule of Order is
10 not defined in this Legislative Call. The Delegates and State
11 Delegations are required to honor the Convention Chairman's
12 instructions when applying Convention Rules of Order and/or Robert's
13 Rules of Order.

14 BALANCED FEDERAL BUDGET AMENDMENT COMMITTEE AND CHAIRMAN

15 The Balanced Federal Budget Amendment Committee is the citizens
16 group that founded the Balanced Federal Budget Amendment Initiative.
17 This Committee will be responsible for pre-Convention planning,
18 organization and activities (including coordinating this Agreement
19 among the several States). If the Convention Delegates vote in
20 favor of sending the proposed Amendment to the States for
21 ratification, the Balanced Federal Budget Amendment Committee will
22 be responsible for post-convention planning and initiatives during
23 the ratification process.
24

1 The Balanced Federal Budget Amendment Committee's Executive
2 Director and National Director will be Ex-Officio members (without
3 voting rights) at the Convention. By virtue of this Agreement being
4 approved by two-thirds (2/3) of the States the Committee's Executive
5 Director will automatically be installed as the Convention's
6 Chairman. The Committee's National Director will automatically be
7 installed as the Vice Chairman at the Convention. Both Convention
8 Officials will be amenable to the several States. The Chairman and
9 Vice Chairman, at the Convention, will be subject to the terms and
10 conditions of this Agreement between the Thirty-four (34) Calling
11 States.

12 Both Convention Officials can be dismissed from office when
13 thirty-eight (38) State Delegations at the Convention agree in
14 writing that such a dismissal is required and present their signed
15 petitions to the Secretary of the Convention. The Secretary shall
16 then call for a confirming vote, on the Convention floor, requiring
17 thirty-eight (38) State Delegations to cast votes authorizing such
18 removal from office.

19 FUNDING THE CONVENTION

20 The State Legislatures that send Delegates to the Balanced
21 Federal Budget Amendment Convention shall be responsible for
22 providing monies necessary for their State Delegations to
23 participate at the Convention. The amounts each State Delegation
24 will require will be decided by each State Legislature. Other

1 expenses or costs necessary to fund the Convention are to be shared
2 by the Calling States equally. From time to time the Convention
3 Chairman may notify the State Legislatures what monies will be
4 necessary to carry on the business of the Convention.

5 FUNDING FOR "PRE- AND POST-CONVENTION ACTIVITIES"

6 Each State Legislature making a Call on Congress to convene the
7 Convention will be asked by the Balanced Federal Budget Amendment
8 Committee to share expenses for "pre-Convention planning and
9 organization". If the Convention votes to send the Balanced Federal
10 Budget Amendment to Congress to be ratified by the States, then the
11 Committee will ask the Calling States to help fund post-convention
12 planning and organization to cover expenses for the ratification
13 process.

14 DELEGATES SUMMONED BY CONGRESS

15 Congress has the authority, under Article V, to summon Delegates
16 from the several States to the Convened Convention. Congress is
17 required to summon the appropriate number of Delegates each State is
18 entitled to immediately after two-thirds (2/3) of the States
19 complete their Calls directing Congress to convene the Convention.
20 The number of Delegates to be summoned to the Convention should be
21 equal to the number of members each State has in the House of
22 Representatives and in the Senate of the United States Congress.

23 DELEGATES AND STATE DELEGATIONS

24

1 Only State Delegates summoned by Congress to the Convention and
2 appointed by their State Legislatures to form State Delegations are
3 authorized to attend and speak at the Convention. State
4 Legislatures have the responsibility to select, from within their
5 States, individual Delegates who will represent them at the
6 Convention. The number of Delegates selected by a State Legislature
7 can be no greater than the number of Delegates summoned by Congress
8 within its State. Each State Delegation must select a Delegate from
9 within its Delegation to be its Spokesman at the Convention. Only a
10 Delegation's Spokesman will be recognized by the Chairman during
11 Convention proceedings.

12 THE CONVENTION CHAIRMAN AND VICE CHAIRMAN

13 The Convention Chairman will be empowered, by virtue of this
14 Agreement being approved by two-thirds (2/3) of the States, to
15 officiate all proceedings at the Convention. The Convention Vice
16 Chairman will be amenable to the Chairman and assist in carrying out
17 the business of the Convention.

18 VOTING BY DELEGATES

19 Each State Delegation at the Convention will have one vote. It
20 is recommended that a simple majority of the Delegates within each
21 State Delegation be required to decide a State Delegation's vote at
22 the Convention. A quorum within each State Delegation will consist
23 of one Delegate. The business of the Convention and voting during
24 roll calls will not be delayed because a State's Delegation is not

1 present at the Convention, or objects to a vote at the Convention,
2 or refuses to cast a vote.

3 QUORUM REQUIRED FOR CONDUCTING BUSINESS AT THE CONVENTION

4 Each State Delegation will have one vote when deciding all
5 matters at the Convention. A simple majority vote by State
6 Delegations present at the Convention is required to decide the
7 outcome of all business brought before the Convention, including
8 whether or not the Balanced Federal Budget Amendment, as herein
9 written, should be sent to the Several States, via Congress, for
10 ratification. A quorum of thirty-four (34) State Delegations
11 present at the Convention is required for the purpose of conducting
12 business and voting.

13 CLOSED DELIBERATIONS AT THE CONVENTION

14 The Balanced Federal Budget Amendment Convention will be closed
15 to all media and news groups. Only Delegates appointed by their
16 State Legislatures and the Chairman and Vice Chairman of the
17 Balanced Federal Budget Amendment Convention will be authorized to
18 enter and speak at the Convention. No visitors, reporters,
19 government officials, professionals or inquirers of any kind, will
20 be permitted to enter the Convention facilities. Unauthorized
21 visitors will be escorted out of the Convention by the Sergeant-at-
22 Arms. After the vote by State Delegations is taken to determine if
23 the Balanced Federal Budget Amendment should be sent to the Several
24 States via Congress for ratification, the Chairman of the Convention

1 will call a special press conference to announce the Convention's
2 decision. Within thirty (30) days from the special press conference
3 the Chairman will make available to the public the records kept by
4 the Convention during its proceedings.

5 STATE LEGISLATURES NOT AUTHORIZING A CALL ON CONGRESS TO CONVENE THE
6 CONVENTION

7 State Legislatures not authorizing a Call for the Balanced
8 Federal Budget Amendment Convention and yet intending to send
9 Delegates representing their State must agree to the terms and
10 conditions as set forth in this Agreement. In order to receive
11 Convention Passes all Delegates attending the Convention, whether
12 from Calling or non-Calling States, will be required to sign an
13 agreement promising to abide by the terms and conditions in this
14 Agreement.

15 NO WEAPONS ALLOWED AT THE CONVENTION

16 Delegates will not be allowed to bring into the Convention any
17 weapons or objects that can be construed as weapons.

18 SECURITY AT THE CONVENTION

19 Security, if necessary, at and around the Convention facilities
20 will be provided by local police, state police and/or federal law
21 enforcement agencies.

22 PRESENTING ARGUMENTS AT THE CONVENTION BY STATE DELEGATIONS

23 Each State Delegation will be allotted a maximum of sixty (60)
24 minutes for presenting its argument(s) at the Convention for or

1 against sending the Balanced Federal Budget Amendment to the United
2 States Congress with instructions for Congress to send the Amendment
3 to the several States for ratification.

4 Only Delegates who have been officially selected by their State
5 Legislatures and Ex-Officio members of the Convention are authorized
6 to speak before the Convention.

7 Each State Delegation can use one or more of its Delegates to
8 present its position(s). However, the total time allotted for each
9 State Delegation is sixty (60) minutes, which includes the time
10 necessary to replace one Delegate with another. Speakers cannot
11 reserve portions of their time to another time or day. State
12 Delegations must complete their arguments in the sixty-minute
13 segment allotted to them.

14 The order in which each State Delegation will present its
15 argument(s) for or against the proposed Amendment will alternate
16 between Calling and non-Calling States. The Chairman will decide
17 the final order for State Delegations and settle any discrepancies
18 that may arise.

19 DISCUSSION BY THE CONVENTION AS TO WHETHER THE AMENDMENT SHOULD BE
20 RATIFIED BY STATE CONVENTIONS OR STATE LEGISLATURES

21 Assuming the Convention voted to send the Balanced Federal
22 Budget Amendment to the States, via Congress, for ratification, the
23 State Delegations will have twenty (20) minutes each to present
24 their argument(s) as to whether the Convention should recommend to

1 Congress that the Amendment be ratified by State Conventions or
2 State Legislatures. Speakers cannot reserve portions of their time
3 to another time or day. State Delegations must complete their
4 arguments in the twenty-minute segment allotted to them.

5 DUTIES OF THE "BALANCED FEDERAL BUDGET AMENDMENT COMMITTEE"

6 1) Assist State Legislators in pre- and post-Convention
7 planning;

8 2) Create a Balanced Federal Budget Amendment Convention
9 checking account for depositing funds supplied by the States that
10 requires two signatures - the Convention Chairman and the Convention
11 Financial Officer;

12 a. Convention contracts and financial commitments of any
13 kind must be authorized by both the Convention
14 Chairman and Financial Officer;

15 3) Provide financial reports and minutes to State Legislatures
16 of pre- and post-convention activities using generally accepted
17 accounting practices; and

18 4) Notify the States regarding the funds needed for pre- and
19 post-Convention activities.

20 ELECTION, AUTHORITY AND DUTIES OF CONVENTION OFFICIALS

21 CHAIRMAN

22 The Convention Chairman is the Senior Official at the Balanced
23 Federal Budget Amendment Convention. He or she will have the
24 requisite authority to oversee and control all proceedings and

1 activities at the Convention, including the nomination, election, or
2 removal of all Convention Officials. The Chairman's duties include:

3 1) Declaring the Convention open;

4 2) Calling the Convention to order;

5 3) Taking the following oath with the right hand on the Bible:

6 "I solemnly promise to officiate the office of Convention
7 Chairman for the Balanced Federal Budget Amendment Convention
8 according to the terms and conditions set forth in this
9 Agreement between the Calling States to the best of my ability,
10 so help me God."

11 The Vice Chairman of the Convention will administer the oath;

12 4) Organizing and officiating all business proceedings at the
13 Convention expeditiously;

14 5) Officiating all nominations, elections and installation of
15 Convention Officials;

16 6) Officiating the enforcement of all Convention Rules;

17 7) Signing, along with the Financial Officer, all expenditures
18 from the Convention's checking account;

19 8) Officiating the enforcement of the terms and conditions of
20 this Agreement;

21 9) Overseeing the investigation of alleged and/or actual
22 violations of this Agreement as defined in the section titled
23 "Violating this Agreement";
24

1 10) Bringing before the Convention all matters that require a
2 discussion or review by State Delegations;

3 11) Bringing before the Convention all matters that require a
4 vote;

5 12) Bringing before the Convention the financial needs of the
6 Convention and time-lines for when these monies are needed;

7 13) Recognizing State Delegations during business meetings and
8 providing appropriate time for a discussion of their concerns;

9 14) Limiting discussions of Convention matters when
10 appropriate;

11 15) Keeping the schedules and proceedings of the Convention
12 focused on one objective which is: "Should the Convention send the
13 Balanced Federal Budget Amendment to Congress instructing Congress
14 to send it to the several States for ratification?";

15 16) Instructing Convention Officials (Vice Chairman, Secretary,
16 Financial Officer, Executive Administrator, Sergeant-at-Arms, and
17 Deputies) on their duties at the Convention;

18 17) Officiating and remedying any and all problems that may
19 develop at the Convention;

20 18) Authorizing the design and production of "Official"
21 Convention Badges for the Sergeant-at-Arms and Deputies;

22 19) Authorizing the design and production of "Convention
23 Passes" for all persons authorized to attend the Convention;
24

1 20) Designing the Convention "Pledge Form" that must be signed
2 by all Delegates, Convention Officials and Ex-Officio members before
3 entering the Convention;

4 21) After a full discussion by State Delegations, introducing
5 the Balanced Federal Budget Amendment for a vote as to whether it
6 should be sent to the States, via Congress, for ratification;

7 22) Introducing to the Convention the question as to whether
8 the proposed Amendment should be ratified by State Conventions or
9 State Legislatures. Taking a vote to decide the Convention's
10 recommendation to Congress;

11 23) Assuming the Convention voted to send the Amendment to the
12 States, via Congress, for ratification, immediately sending the
13 proposed Balanced Federal Budget Amendment as herein written (with
14 the Convention's recommendation as to which method of ratification
15 it prefers) to both Houses of the United States Congress, directing
16 Congress to immediately send the Amendment to the States to complete
17 the ratification process;

18 24) Notifying all State Legislatures of the Convention's
19 decision as to whether or not the Balanced Federal Budget Amendment
20 is being sent to Congress instructing Congress to send it to the
21 States for ratification. Including the Convention's recommendation
22 as to which method of ratification it prefers;

23 25) Declaring the Balanced Federal Budget Amendment Convention
24 closed after the Convention's business has been completed; and

1 26) Arranging a special news conference to announce the
2 decision of the Convention. Making available the proceedings of the
3 Convention to the public thirty (30) days after the Convention is
4 closed.

5 The first order of business for the Convention Chairman will be
6 to open the Convention to nominations from State Delegations present
7 for each of the following Convention Officials: Secretary, Financial
8 Officer, Executive Administrator, Sergeant-at-Arms, and up to ten
9 (10) Deputies. Each State Delegation can nominate only one nominee
10 for each Office. The maximum number of nominees permitted from the
11 Convention floor for each Office is five (5). The nominee with a
12 plurality of votes will be appointed and installed to serve as the
13 Convention's official for that Office. An individual can serve in
14 only one Office at a time.

15 VICE CHAIRMAN

16 The Convention Vice Chairman is the second Senior Official at
17 the Convention. The Vice Chairman is subordinate to the Convention
18 Chairman. The Vice Chairman's duties include:

- 19 1) Being amenable to the Convention Chairman;
- 20 2) Providing assistance to the Convention Chairman in all
21 matters pertaining to the business of the Convention;
- 22 3) Monitoring activities at the Convention and reporting to the
23 Chairman violations or possible violations of the terms and/or
24 conditions of this Agreement;

1 4) Performing the duties of the Convention Chairman when called
2 upon by the Chairman to do so or when the Chairman is unavailable or
3 unable to perform such duties;

4 5) In the event of the Chairman's death or a disability that
5 prevents him or her from carrying on the duties of his or her
6 Office, the Vice Chairman will assume the Office of the Chairman to
7 be confirmed by a majority vote of the State Delegations. The
8 Secretary is to officiate the Roll Call for this vote; and

9 6) Taking the following oath, administered by the Chairman,
10 while placing the right hand on the Bible:

11 "I solemnly promise to officiate the office of Convention Vice
12 Chairman for the Balanced Federal Budget Amendment Convention
13 according to the terms and conditions set forth in this
14 Agreement between the Calling States to the best of my ability,
15 so help me God."

16 SECRETARY

17 The Convention Secretary is subordinate to the Convention
18 Chairman and Vice Chairman. The Secretary's duties include:

- 19 1) Being amenable to the Convention Chairman and Vice Chairman;
20 2) Keeping official minutes of all proceedings at the
21 Convention to include Committee Meetings and proceedings on the
22 Convention floor;
23 3) Monitoring activities at the Convention and reporting to the
24 Convention Chairman or Vice Chairman violations or possible

1 violations of Convention Rules and/or the terms and/or conditions of
2 this Agreement;

3 4) Making available to the Convention Chairman, upon request,
4 the official minutes of the Convention. Release of these minutes to
5 anyone other than the Convention Chairman is prohibited;

6 5) Performing the duties of the Convention Chairman when called
7 upon by the Chairman or Vice Chairman to do so or when they are
8 unavailable or unable to perform such duties;

9 6) In the event of the Chairman's and Vice Chairman's deaths or
10 disabilities that prevent both of them from carrying on the duties
11 of their Offices, the Secretary will assume the Office of the
12 Chairman to be confirmed by a majority vote of the State
13 Delegations. The Financial Officer is to officiate the Roll Call
14 for this vote; and

15 7) Taking the following oath, administered by the Chairman,
16 while placing the right hand on the Bible:

17 "I solemnly promise to officiate the office of Convention
18 Secretary for the Balanced Federal Budget Amendment Convention
19 according to the terms and conditions set forth in this
20 Agreement between the Calling States to the best of my ability,
21 so help me God."

22 FINANCIAL OFFICER
23
24

1 The Convention Financial Officer is subordinate to the
2 Convention Chairman and Vice Chairman. The Financial Officer's
3 duties include:

- 4 1) Being amenable to the Convention Chairman and Vice Chairman;
- 5 2) Keeping detailed accounting records of all financial matters
6 at the Convention using generally accepted accounting principles;
- 7 3) Signing, along with the Chairman, all expenditures from the
8 Convention's checking account;
- 9 4) Making available to the Convention Chairman, upon request,
10 all financial records at the Convention. Release of these records
11 to anyone other than the Convention Chairman is prohibited;
- 12 5) Providing to the Chairman the financial needs of the
13 Convention and the time-lines as to when monies are needed; and
- 14 6) Taking the following oath, administered by the Chairman,
15 while placing the right hand on the Bible:

16 "I solemnly promise to officiate the office of Convention
17 Financial Officer for the Balanced Federal Budget Amendment
18 Convention according to the terms and conditions set forth in
19 this Agreement between the Calling States to the best of my
20 ability, so help me God."

21 EXECUTIVE ADMINISTRATOR

22 The Convention Executive Administrator is subordinate to the
23 Convention Chairman, Vice Chairman, Secretary and Financial Officer.
24 The Executive Administrator's duties include:

1 1) Being amenable to the Convention Chairman, Vice Chairman,
2 Secretary and Financial Officer;

3 2) Facilitating all Convention business as directed by the
4 Convention Chairman and Vice Chairman;

5 3) Monitoring activities at the Convention and reporting
6 violations or possible violations of the terms and/or conditions of
7 this Agreement to the Chairman;

8 4) Keeping detailed records of all administrative activities at
9 the Convention;

10 5) Making available to the Convention Chairman, upon request,
11 all administrative records at the Convention. Release of these
12 records to anyone other than the Convention Chairman is prohibited;
13 and

14 6) Taking the following oath, administered by the Chairman,
15 while placing the right hand on the Bible:

16 "I solemnly promise to officiate the office of Convention
17 Executive Administrator for the Balanced Federal Budget
18 Amendment Convention according to the terms and conditions set
19 forth in this Agreement between the Calling States to the best
20 of my ability, so help me God."

21 SERGEANT-AT-ARMS

22 The Convention Sergeant-at-Arms is subordinate to the Convention
23 Chairman, and Vice Chairman. The Sergeant-at-Arms duties include:

24 1) Being amenable to the Convention Chairman and Vice Chairman;

1 2) Monitoring all activities at the Convention and reporting to
2 the Convention Chairman violations or possible violations of the
3 terms and/or conditions of this Agreement;

4 3) Maintaining order at the Convention as directed by the
5 Chairman and required by this Agreement;

6 4) Enforcing all remedies for violations of this Agreement as
7 directed by the Chairman;

8 5) Organizing and directing the activities of all Deputies at
9 the Convention;

10 6) Overseeing, training and managing all Deputies at the
11 Convention; and

12 7) Taking the following oath, administered by the Chairman,
13 while placing the right hand on the Bible:

14 "I solemnly promise to officiate the office of Convention
15 Sergeant-at-Arms for the Balanced Federal Budget Amendment
16 Convention according to the terms and conditions set forth in
17 this Agreement between the Calling States to the best of my
18 ability, so help me God."

19 DEPUTIES

20 The Convention Deputy is subordinate to the Convention Chairman
21 and Sergeant-at-Arms. The Deputy's duties include:

22 1) Being amenable to the Convention Chairman and Sergeant-at-
23 Arms;

1 2) Monitoring all activities at the Convention and reporting to
2 the Sergeant-at-Arms violations or possible violations of the terms
3 and/or conditions of this Agreement;

4 3) Maintaining order at the Convention as directed by the
5 Chairman and Sergeant-at-Arms;

6 4) Enforcing all remedies for violation(s) of this Agreement as
7 directed by the Convention Chairman and/or the Sergeant-at-Arms; and

8 5) Taking the following oath, administered by the Chairman,
9 while placing the right hand on the Bible:

10 "I solemnly promise to officiate the office of Convention
11 Deputy for the Balanced Federal Budget Amendment Convention
12 according to the terms and conditions set forth in this
13 Agreement between the Calling States to the best of my ability,
14 so help me God."

15 CHALLENGING THE QUALIFICATIONS OF CONVENTION OFFICIALS

16 A State Delegation can challenge the qualifications of any
17 Convention Official at the Balanced Federal Budget Amendment
18 Convention by bringing its allegation(s), during a business session,
19 to the Convention floor. The Convention Chairman will consider the
20 allegation(s) and determine if it merits further investigation. If
21 the Chairman decides that the allegation(s) merits further
22 investigation, he or she will direct the Sergeant-at-Arms to conduct
23 the necessary inquiry. He or she will then follow the instructions
24

1 outlined in the section, "Violating this Agreement" for proscribing
2 a remedy or remedies.

3 The Convention Chairman can also reject a challenge to the
4 qualifications of any Convention Official if he or she concludes
5 that the State Delegation making the allegation(s) is trying to
6 disrupt and/or delay Convention business. If after following the
7 instructions outlined in "Violating this Agreement", the State
8 Delegation is found to have intentionally made a false accusation
9 against a Convention Official, the State Delegation will be charged
10 with a violation of the terms and/or conditions of this Agreement.

11 PROHIBITIONS FOR STATE DELEGATES, STATE DELEGATIONS AND CONVENTION
12 OFFICIALS AT THE CONVENTION

13 State Delegates, State Delegations and Convention Officials are
14 prohibited from violating any of the following Convention
15 prohibitions:

16 1. State Delegates, State Delegations and Convention Officials
17 are prohibited at the Convention from introducing, discussing,
18 voting on, or sending to the States for consideration and/or
19 ratification any amendment to the United States Constitution other
20 than the Balanced Federal Budget Amendment as herein written;

21 2. State Delegates, State Delegations and Convention Officials
22 are prohibited from altering or changing, in any way (which includes
23 changes to the wording, spelling, punctuation, and paragraph
24 sections), the Balanced Federal Budget Amendment from the written

1 form shown in the section titled "The full text of the BALANCED
2 FEDERAL BUDGET AMENDMENT";

3 3. State Delegates, State Delegations and Convention Officials
4 are prohibited at the Convention from introducing, discussing,
5 voting on, or sending to the States for consideration and/or
6 ratification any alternate form of government for the United States
7 of America;

8 4. State Delegates, State Delegations and Convention Officials
9 are prohibited at the Convention from introducing, discussing,
10 voting on, or sending to the States for consideration and/or
11 ratification any alternate constitution or governing document for
12 the United States of America;

13 5. State Delegates, State Delegations and Convention Officials
14 are prohibited at the Convention from introducing, discussing,
15 voting on, or sending to the States for consideration and/or
16 ratification any changes of any kind to the existing Constitution of
17 the United States of America other than the Balanced Federal Budget
18 Amendment as herein written;

19 6. State Delegates, State Delegations and Convention Officials
20 are prohibited at the Convention from introducing, discussing,
21 voting on, or sending to the States for consideration any changes of
22 any kind to this binding Agreement between the States Calling for
23 the Balanced Federal Budget Amendment; and
24

1 7. State Delegates, State Delegations and Convention Officials
2 are prohibited at the Convention from introducing, discussing,
3 voting on, or sending to the States for consideration and/or
4 ratification any subject matter, issue or topic of any kind other
5 than the proposed Balanced Federal Budget Amendment as herein
6 written.

7 THE DATE, TIME, DURATION AND PLACE OF THE BALANCED FEDERAL BUDGET
8 AMENDMENT CONVENTION

9 The United States Congress will be responsible for determining
10 and announcing to the several States the date, time, and place that
11 the Balanced Federal Budget Amendment Convention is to convene
12 immediately after two-thirds (2/3) of the States, under the
13 authority given to the States in Article V of the United States
14 Constitution, have completed their Calls on Congress to convene the
15 Balanced Federal Budget Amendment Convention. The Convention is
16 expected to complete its business within one hundred eighty (180)
17 days after convening. The Convention Chairman can extend the
18 duration of the Balanced Federal Budget Amendment Convention for one
19 additional one-hundred-eighty-day period if the Chairman considers
20 it necessary. The maximum number of days the Convention is
21 authorized to be in session is three hundred sixty (360) days. If
22 the Convention has not decided whether or not the Balanced Federal
23 Budget Amendment should be sent to Congress with instructions to
24 send the Amendment to the several States for ratification within the

1 three-hundred-sixty-day limit, then the Balanced Federal Budget
2 Amendment Convention will automatically terminate at 5:00 P.M.
3 Eastern Standard Time on the three hundred and sixtieth day after
4 its convening.

5 Under no circumstance(s) are the Delegates at the Balanced
6 Federal Budget Amendment Convention authorized to extend the time-
7 lines for this Convention or initiate or re-initiate or re-convene a
8 new or different Convention, no matter what their purpose or intent.
9 The authority granted by the Calling States in this binding
10 Agreement to conduct business at the Balanced Federal Budget
11 Amendment Convention will be automatically withdrawn at 5:00 P.M.
12 Eastern Standard Time on the three hundred and sixtieth day after
13 the Convention was convened.

14 VIOLATING THIS AGREEMENT

15 The Convention Chairman, or designee, will handle allegations of
16 a violation(s) or actual violation(s) of the terms and/or conditions
17 of this binding Agreement between the several States, by any one or
18 more Delegate(s), State Delegation(s) and/or Convention Official(s),
19 as follows:

20 1. When an alleged violation has been presented to the
21 Convention Chairman, and the Chairman decides that the allegation(s)
22 merits further investigation, he or she will instruct the Sergeant-
23 at-Arms to conduct the necessary inquiry.

1 2. After the inquiry has been completed, and assuming the
2 Convention Chairman concludes that the evidence does not
3 substantiate further review by the Convention, the allegation(s)
4 will be dismissed by the Chairman and the Convention will go forward
5 with its business.

6 3. If however, after the inquiry has been completed, the
7 Convention Chairman concludes that the evidence does substantiate
8 further review by the Convention, the Chairman will present the
9 allegation(s) and findings of the inquiry to the Convention for a
10 discussion and vote. If a majority of the State Delegations (one
11 vote per State Delegation) decides that no violation of the terms
12 and/or conditions of this Agreement has occurred, then the Chairman
13 will declare that the alleged violation(s) of the terms and/or
14 conditions of this Agreement is/are dismissed. The Convention will
15 then go forward with its business.

16 4. If a majority of the State Delegations decide that one or
17 more violation(s) of the terms and/or conditions of this Agreement
18 has/have occurred, then the Chairman will declare to the Convention
19 that the named Delegate(s) is/are responsible for the violation(s),
20 and their State Delegation(s) will be charged with "Violating this
21 Agreement". The Convention will then go forward with its business.

22 5. If a State Delegation is charged with two violations of the
23 terms and/or conditions of this Agreement, the Convention Chairman
24 will declare to the Convention that the State Delegation charged

1 with violating this Agreement a second time has no further standing
2 or authority at the Convention. The Chairman will notify the
3 charged State Delegation that its entire Delegation must leave the
4 Convention immediately and they will not be allowed back into the
5 Convention. The Chairman will instruct the Sergeant-at-Arms that
6 the charged State Delegation(s) should be escorted out of the
7 Convention. The Convention Chairman will then notify the State
8 Legislature(s) that sent the violating State Delegation(s) of the
9 actions the Convention has taken and inform them that they can send
10 a replacement State Delegation to the Convention as long as they do
11 not disrupt the proceedings of the Convention. A replacement State
12 Delegation will be subject to only one violation of this Agreement
13 before it will be removed from the Convention. A State Legislature
14 will not be allowed to send a third State Delegation. None of the
15 Delegates who were charged with violating this Agreement by the
16 Convention will be allowed back into the Convention as part of a
17 replacement delegation.

18 6. The Convention Chairman will not allow unreasonable delays
19 in the proceedings of the Convention due to disruptive Delegate(s)
20 or State Delegation(s). The Chairman will move the business of the
21 Convention forward expeditiously.

22 RATIFICATION OF THE "BALANCED FEDERAL BUDGET AMENDMENT"

23 Under the requirements of Article V of the United States
24 Constitution and also under Article IV, Section 4, which guarantees

1 to every State a Republican form of Government, the Balanced Federal
2 Budget Amendment will become a ratified Amendment to the United
3 States Constitution when three-quarters (3/4) of the Several States
4 complete their ratifications of the Amendment.

5 CONGRESSIONAL OPTION

6 If the United States Congress voluntarily sends the Balanced
7 Federal Budget Amendment as written herein to the several States for
8 ratification, without making any changes of any kind (which includes
9 changes to the wording, spelling, punctuation and paragraph
10 sections), and before two-thirds (2/3) of the States complete their
11 Calls for Congress to convene the Balanced Federal Budget Amendment
12 Convention, then the Legislature of the State of Oklahoma will
13 withdraw its Call for the Balanced Federal Budget Amendment
14 Convention.

15 OFFICIAL AGREEMENT BY THE OKLAHOMA STATE LEGISLATURE BETWEEN ITSELF
16 AND THE CALLING STATES

17 The Legislature of the State of Oklahoma enters into this
18 binding Agreement with every other State Legislature that likewise
19 agrees to the terms and conditions set forth in this Agreement.
20 This is an irrevocable contract, during the term of this Agreement,
21 between the State of Oklahoma and each and every State that signs
22 this Agreement and has or will complete its Call on the United
23 States Congress directing Congress to convene a Federal Convention
24

1 to be entitled the Balanced Federal Budget Amendment Convention.

2 This Agreement can be terminated in the following ways:

3 1. The United States Congress voluntarily sends the Balanced
4 Federal Budget Amendment to the States for ratification without
5 altering or changing in any way the proposed Amendment as herein
6 written;

7 2. The Balanced Federal Budget Amendment Convention votes "for"
8 or "against" sending the Amendment to the States, via Congress, for
9 ratification; or

10 3. The three-hundred-sixty-day deadline for the Balanced
11 Federal Budget Amendment Convention to complete its business
12 expires.

13 The Legislature of the State of Oklahoma agrees that it and its
14 delegates, who are selected to attend the Convention, will abide by
15 the purpose, terms, conditions, duration, agenda, and "Convention
16 Rules of Order" as explained in this Agreement.

17 The Legislature of the State of Oklahoma enters into this
18 Agreement with every other State Legislature that likewise agrees to
19 the terms and conditions of this Agreement, understanding that the
20 Balanced Federal Budget Amendment Convention, by definition herein
21 explained, is a "SINGLE ISSUE" Federal Convention and that the
22 Convention will have no authority under this Agreement between the
23 Calling States, to review and/or consider any other subject matter,
24 issue, or topic during its sessions other than business matters

1 relating to the question: "Should the Balanced Federal Budget
2 Amendment, as herein written, be sent by the Convention to the
3 United States Congress instructing Congress to send the Amendment to
4 the several States for ratification?"

5 The Legislature of the State of Oklahoma irrevocably declares by
6 signing this Agreement that any subject matter, issue or topic
7 (other than the Balanced Federal Budget Amendment) that Delegates
8 might try to present to the Convention and subsequently to the
9 States for review and/or ratification will be immediately, upon
10 introduction at the Convention, unauthorized, invalid and
11 automatically rejected by the Legislature of the State of Oklahoma,
12 and it will not review and/or consider for ratification any such
13 subject matter, issue or topic, no matter how presented to it by the
14 Convention. Only the Balanced Federal Budget Amendment, as herein
15 written, will be considered by the Legislature of the State of
16 Oklahoma for ratification.

17 The Legislature of the State of Oklahoma also irrevocably
18 declares that under no circumstances will it consider for review
19 and/or ratification any amendment to the United States Constitution
20 submitted to it by the Balanced Federal Budget Amendment Convention
21 other than the Balanced Federal Budget Amendment as herein written.

22 The Legislature of the State of Oklahoma further irrevocably
23 declares that under no circumstances will it consider for review
24 and/or ratification any modified form of the Balanced Federal Budget

1 Amendment submitted to it by the Balanced Federal Budget Amendment
2 Convention that would change, alter, or replace in any way
3 (including changes to the wording, spelling, punctuation, or
4 paragraph sections) the Balanced Federal Budget Amendment as herein
5 provided.

6 The Legislature of the State of Oklahoma further irrevocably
7 declares that under no circumstances will it consider for review
8 and/or ratification any proposal of any kind sent to it by the
9 Balanced Federal Budget Amendment Convention that would change,
10 replace, or alter the United States Constitution, other than the
11 Balanced Federal Budget Amendment as herein written.

12 The Legislature of the State of Oklahoma further irrevocably
13 declares that under no circumstances will it consider for review any
14 proposal of any kind sent to it by the Balanced Federal Budget
15 Amendment Convention that would change, replace, or alter in any way
16 this Agreement.

17 RESOLVED, That the Clerk forward a copy of this signed Agreement
18 to the leadership in every State Legislature that has made a Call on
19 the United States Congress directing Congress to convene a Balanced
20 Federal Budget Amendment Convention.

21 This Addendum Agreement is hereby entered into and approved by
22 the State Legislature of the State of Oklahoma on
23 Month: _____ Day _____ Year _____ :.
24

1 This Addendum Agreement is an integral part of Oklahoma's
2 Legislative Resolution No. _____.

3 Authorized Signatures with Titles:

4 Seal of the State of Oklahoma

5 Name: _____ Title: _____

6 Name: _____ Title: _____

7 Name: _____ Title: _____

8 SECTION 4. A copy of this resolution shall be distributed to
9 the leadership in every State Legislature that has made a Call on
10 the United States Congress directing Congress to convene a Balanced
11 Federal Budget Amendment Convention.

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