

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 55th Legislature (2016)

4 COMMITTEE SUBSTITUTE
5 FOR ENGROSSED
6 SENATE JOINT
7 RESOLUTION NO. 4

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

8 and

9 Banz, Moore, Lepak,
10 Hickman, McCullough and
11 Echols of the House

12
13 COMMITTEE SUBSTITUTE

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

23 WHEREAS, the founders of the Constitution of the United States,
24 through the enactment of Article V, empowered state legislators to

1 be guardians of liberty against future abuses of power by the
2 federal government; and

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

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

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

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

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

21 WHEREAS, as early as 1976, the Thirty-fifth Oklahoma Legislature
22 enacted House Joint Resolution No. 1049, calling for an Article V
23 Convention for the purpose of preparing and submitting to the states
24 an amendment "requiring in the absence of a national emergency that

1 the total of all federal appropriations made by the Congress for any
2 fiscal year may not exceed the total of all estimated federal
3 revenue for that fiscal year"; and

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

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

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

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

23 SECTION 2. The Oklahoma Legislature hereby applies to Congress,
24 under the provisions of Article V of the Constitution of the United

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

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

15 SECTION 4. This application is to be considered as covering the
16 same subject matter as the presently outstanding balanced budget
17 applications from other states, including, but not limited to,
18 previously adopted applications from Alabama, Alaska, Arkansas,
19 Colorado, Delaware, Florida, Georgia, Indiana, Iowa, Kansas,
20 Louisiana, Maryland, Michigan, Mississippi, Missouri, Nebraska,
21 Nevada, New Hampshire, New Mexico, North Carolina, North Dakota,
22 Ohio, Pennsylvania, South Dakota, Tennessee, Texas, Utah and West
23 Virginia; and this application shall be aggregated with same for the
24 purpose of attaining the two-thirds (2/3) of states necessary to

1 require the calling of a convention, but shall not be aggregated
2 with any applications on any other subject.

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

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

17 SECTION 7. This application shall be aggregated with the
18 applications of Georgia (SR736, 2014), Florida (SM476, 2014), Alaska
19 (HJR22, 2014), Alabama (HJR112, 2015), Tennessee (SJR67, 2016) and
20 Indiana (SJR14, 2016) together with any future applications for a
21 convention for the specific and exclusive purpose of proposing
22 amendments to the Constitution of the United States limited to the
23 purposes stated herein.

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

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

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15 COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 03/28/2016 - DO PASS,
16 As Amended and Coauthored.
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