

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 HOUSE JOINT
4 RESOLUTION 1013

By: McEachin of the House

5 and

6 Newhouse of the Senate

7
8 AS INTRODUCED

9 A Joint Resolution directing the Secretary of State
10 to refer to the people for their approval or
11 rejection a proposed amendment to the Constitution of
12 the State of Oklahoma by adding a new Section 1A to
13 Article I; clarifying the roles of the state and the
14 federal government concerning commerce; providing
15 ballot title; and directing filing.

16 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE
17 1ST SESSION OF THE 56TH OKLAHOMA LEGISLATURE:

18 SECTION 1. The Secretary of State shall refer to the people for
19 their approval or rejection, as and in the manner provided by law,
20 the following proposed amendment to the Constitution of the State of
21 Oklahoma by adding a new Section 1A to Article I thereof, to read as
22 follows:

23 The Constitution of the United States provides in Section 8 of
24 Article I that Congress has the power to "Regulate Commerce with
foreign Nations, and among the several States, and with the Indian
Tribes". The State of Oklahoma as an equal part of the several

1 states of the Union hereby asserts the right to retain as a state's
2 right the power to regulate commerce not expressly provided for in
3 Section 8 of Article I of the United States Constitution. The
4 people of Oklahoma reserve all power with regard to commerce not
5 inconsistent with the power of the Federal government to prevent
6 interference with commerce with foreign Nations, and among the
7 several States, and with the Indian Tribes; and, further, does not
8 allow the Federal government to compel any person or entity to
9 participate in commerce.

10 SECTION 2. The Ballot Title for the proposed Constitutional
11 amendment as set forth in SECTION 1 of this resolution shall be in
12 the following form:

13 BALLOT TITLE

14 Legislative Referendum No. _____ State Question No. _____

15 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

16 This measure amends the Oklahoma Constitution. It adds a new
17 section in the article dealing with federal relations. It
18 provides that if power to regulate commerce under the Commerce
19 Clause of the United States Constitution is not expressly
20 granted to Congress, the state of Oklahoma retains the right to
21 such regulation and that the people of Oklahoma reserve all
22 power concerning commerce not inconsistent with the special
23 power of the federal government.

24 SHALL THE PROPOSAL BE APPROVED?

1 FOR THE PROPOSAL - YES _____

2 AGAINST THE PROPOSAL - NO _____

3 SECTION 3. The Chief Clerk of the House of Representatives,
4 immediately after the passage of this resolution, shall prepare and
5 file one copy thereof, including the Ballot Title set forth in
6 SECTION 2 hereof, with the Secretary of State and one copy with the
7 Attorney General.

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9 56-1-6284 SD 01/17/17

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