

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 SENATE JOINT  
4 RESOLUTION 11

By: Brogdon

5  
6 AS INTRODUCED

7 A Joint Resolution rescinding applications by the  
8 Legislature to the United States Congress to call a  
9 constitutional convention; and directing  
10 distribution.

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

20 WHEREAS, Warren E. Burger, former Chief Justice of the United  
21 States Supreme Court, Arthur J. Goldberg, former Justice of the  
22 United States Supreme Court, and other leading constitutional  
23 scholars agree that such a convention may propose sweeping changes  
24 to the Constitution, any limitations or restrictions to the contrary

1 imposed by the states in applying for such a convention  
2 notwithstanding, thereby creating an imminent peril to the well-  
3 established rights of the citizens and the duties of various levels  
4 of government; and

5 WHEREAS, the Constitution of the United States of America has  
6 been amended many times in the history of this nation and may be  
7 amended many more times, without the need to resort to a  
8 constitutional convention, and has been interpreted for more than  
9 200 years and has been found to be a sound document which protects  
10 the lives and liberties of the citizens; and

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

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

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

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

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

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

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