

1 STATE OF OKLAHOMA

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

3 HOUSE JOINT  
4 RESOLUTION 1048

By: Virgin

5  
6 AS INTRODUCED

7 A Joint Resolution making application to the Congress  
8 of the United States to call a Constitutional  
9 convention pursuant to Article V of the United States  
10 Constitution; stating purpose; providing for  
11 delegates; and directing distribution.

12  
13 WHEREAS, the first President of the United States, George  
14 Washington, stated, "The basis of our political system is the right  
15 of the people to make and alter their Constitutions of Government";  
16 and

17 WHEREAS, it was the stated intention of the framers of the  
18 Constitution of the United States of American that the Congress of  
19 the United States of America should be "dependent on the people  
20 alone" (James Madison, Federalist 52); and

21 WHEREAS, that dependency has evolved from a dependency on the  
22 people alone to a dependency on those who spend excessively in  
23 elections, through campaigns or third-party groups; and  
24

1       WHEREAS, the United States Supreme Court ruling in *Citizens*  
2 *United v. Federal Election Commission*, 558 U.S. 310, 130 S. Ct, 876  
3 (2010) removed restrictions on amounts of independent political  
4 spending; and

5       WHEREAS, the removal of those restrictions has resulted in the  
6 unjust influence of powerful economic forces, which have supplanted  
7 the will of the people by undermining our ability to choose our  
8 political leadership, write our own laws and determine the fate of  
9 our state; and

10       WHEREAS, Article V of the United States Constitution requires  
11 the United States Congress to call a convention for proposing  
12 amendments upon application of two-thirds of the legislatures of the  
13 several states for the purpose of proposing amendments to the United  
14 States Constitution; and

15       WHEREAS, the State of Oklahoma sees the need for a convention to  
16 propose amendments in order to address concerns such as those raised  
17 by the decision of the United States Supreme Court in *Citizens*  
18 *United v. Federal Election Commission*, 558 U.S. 310, 130 S. Ct, 876  
19 (2010) and related cases and events including those occurring long  
20 before or afterward or for a substantially similar purpose, and  
21 desires that said convention should be so limited; and

22       WHEREAS, the State of Oklahoma desires that the delegates to  
23 said convention shall be comprised equally of individuals currently  
24 elected to state and local office, or be selected by election, in

1 each Congressional district, for the purpose of serving as  
2 delegates, though all individuals elected or appointed to federal  
3 office, now or in the past, be prohibited from serving as delegates  
4 to the convention, and intends to retain the ability to restrict or  
5 expand the power of its delegates within the limits expressed above;  
6 and

7 WHEREAS, the State of Oklahoma intends that this be a continuing  
8 application considered together with applications calling for a  
9 convention passed in the 2013-2014 Vermont legislature as R454, the  
10 2013-2014 California legislature as Resolution Chapter 77, the 98th  
11 Illinois General Assembly as Senate Joint Resolution No. 42, the  
12 2014-2015 New Jersey legislature as SCR 132, and all other passed,  
13 pending, and future applications, the aforementioned concerns of  
14 Oklahoma notwithstanding, until such time as two-thirds of the  
15 several states have applied for a convention and said convention is  
16 convened by Congress.

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

19 THAT pursuant to Article V of the United States Constitution,  
20 the State of Oklahoma hereby petitions the United States Congress to  
21 call a convention for the purpose of proposing amendments to the  
22 Constitution of the United States of America as soon as two-thirds  
23 of the several states have applied for a convention.

24

1            THAT the Chief Clerk of the Oklahoma House of Representatives  
2 transmit copies of this resolution to the President of the United  
3 States, the Vice President of the United States in his capacity as  
4 presiding officer of the United States Senate and addressed to him  
5 at Suite S-212, U.S. Capitol Building Washington DC 20510, the  
6 Speaker of the United States House of Representatives, the Minority  
7 Leader of the United States House of Representatives, the President  
8 Pro Tempore of the United States Senate, the Oklahoma Congressional  
9 Delegation with the respectful request that the full and complete  
10 text of this resolution be printed in the *Congressional Record*, the  
11 governor of each state, and the presiding officers of each  
12 legislative body of each of the several states, requesting the  
13 cooperation of the states in issuing an application compelling  
14 Congress to call a convention for proposing amendments pursuant to  
15 Article V of the U.S. Constitution.

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17            55-2-8567            SD            01/06/16

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