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ONE HUNDRED FOURTEENTH CONGRESS

# Congress of the United States

## House of Representatives

COMMITTEE ON THE JUDICIARY

2138 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6216

(202) 225-3951

<http://www.house.gov/judiciary>

August 29, 2016

The Honorable Karen Haas  
Clerk of the U.S. House of Representatives  
U.S. Capitol, Room H154  
Washington, D.C. 20515

Dear Madam Clerk,

Pursuant to section 3(c) of House Resolution 5 (114th Congress), I hereby designate the attached Memorial from the State of Oklahoma, received by the House of Representatives in the year 1978, as purporting to be an application of the State legislature calling for a convention for proposing amendments to the Constitution of the United States pursuant to Article V, and request that you make it publicly available.

Sincerely,



Bob Goodlatte  
Chairman

OFFICE OF THE SECRETARY OF STATE



CERTIFICATE OF TRANSCRIPT

*I, the undersigned Secretary of State of the State of Oklahoma, do hereby certify that the annexed transcript has been compared with the record on file in my office of which it purports to be a copy, and that the same is a full, true and correct copy of:*

ENROLLED HOUSE JOINT RESOLUTION NO. 1049

ENACTED BY THE SECOND REGULAR SESSION OF

THE THIRTY-FIFTH LEGISLATURE OF OKLAHOMA

APPROVED: APRIL 15, 1976



*In testimony whereof, I have hereunto set my hand and affixed the Great Seal of the State of Oklahoma at the City of Oklahoma City this* 17<sup>th</sup> *day of* June, *19* 78

*Jerome W. Byrd*  
Secretary of State

By: *Jerry Ann Smedley*



# Resolution

ENROLLED HOUSE JOINT  
RESOLUTION NO. 1049

BY: STRATTON, GREEN, EDMONDSON,  
MATHESON, DENMAN, HAMMONS,  
HIBDON, HASTINGS, HOLT,  
DUCKETT, BRUNTON, KILPATRICK,  
CAMPBELL, COWAN, MANNING,  
CUMMINGS, KAMAS, CAMP,  
THORNHILL, ROBINSON,  
CUNNINGHAM, CLEVELAND, COTNER,  
HOLADAY, HOLDEN, JOHNSON  
(Don), JOHNSON (Joe), WHORTON  
and WICKERSHAM of the HOUSE

and

BERRONG, McCUNE, PIERCE,  
DAWSON, WOLFE, TINSLEY,  
TERRILL, BIRDSONG, FUNSTON,  
GRANTHAM, INHOFE, KEATING and  
LAMBERT of the SENATE

A JOINT RESOLUTION CONCERNING THE BUDGET OF THE UNITED STATES; THE PURPOSE OF REQUESTING APPROPRIATE ACTION BY THE CONGRESS, EITHER ACTING BY CONSENT OF TWO-THIRDS OF BOTH HOUSES OR, UPON THE APPLICATION OF THE LEGISLATURES OF TWO-THIRDS OF THE SEVERAL STATES, CALLING A CONSTITUTIONAL CONVENTION TO PROPOSE AN AMENDMENT TO THE FEDERAL CONSTITUTION TO REQUIRE, WITH CERTAIN EXCEPTIONS, THAT THE TOTAL OF ALL FEDERAL APPROPRIATIONS MAY NOT EXCEED THE TOTAL OF ALL ESTIMATED FEDERAL REVENUES IN ANY FISCAL YEAR.

WHEREAS, with each passing year this nation becomes more deeply in debt as its expenditures grossly and repeatedly exceed available revenues, so that the public debt now exceeds hundreds of billions of dollars.

WHEREAS, the annual federal budget continually demonstrates an unwillingness or inability of both the legislative and executive branches of the federal government to curtail spending to conform to available revenues.

Correctly Enrolled: *Mr. William H. Beez*, Chairman, COMMITTEE ON ENCRONSID AND ENROLLED BILLS

Correctly Enrolled: *M. W. Weaver* Chairman, COMMITTEE ON ENGROSSED AND ENROLLED BILLS

WHEREAS, unified budgets do not reflect actual spending because of the exclusion of special outlays which are not included in the budget nor subject to the legal public debt limit.

WHEREAS, knowledgeable planning, fiscal prudence and plain good sense require that the budget reflect all federal spending and be in balance.

WHEREAS, believing that fiscal irresponsibility at the federal level, with the inflation which results from this policy, is the greatest threat which faces our nation, we firmly believe that constitutional restraint is necessary to bring the fiscal discipline needed to restore financial responsibility.

WHEREAS, under Article V of the Constitution of the United States, amendments to the Federal Constitution may be proposed by the Congress whenever two-thirds of both Houses deem it necessary, or on the application of the legislatures of two-thirds of the several states that the Congress shall call a constitutional convention for the purpose of proposing amendments. We believe such action vital.

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE 2ND SESSION OF THE 35TH OKLAHOMA LEGISLATURE:

SECTION 1. That this body proposes to the Congress of the United States that procedures be instituted in the Congress to add a new Article to the Constitution of the United States, and that the Legislature of the State of Oklahoma makes application and requests the Congress to prepare and submit to the several states an amendment to the Constitution of the United States, requiring in the absence of a national emergency that the total of all federal appropriations made by the Congress for any fiscal year may not exceed the total of all estimated federal revenues for that fiscal year.

SECTION 2. That alternatively, this Body requests that the Congress of the United States call a constitutional convention for the specific and exclusive purpose of proposing an amendment to the Federal Constitution requiring in the absence of a national emergency

Correctly Enrolled: *W. Bell M. Weston*, Chairman, COMMITTEE ON ENGROSSED AND ENROLLED BILLS

that the total of all federal appropriations made by the Congress for any fiscal year may not exceed the total of all estimated federal revenues for that fiscal year.

SECTION 3. That this Body also proposes that the legislatures of each of the several states comprising the United States apply to the Congress requesting the enactment of an appropriate amendment to the Federal Constitution; or requiring the Congress to call a constitutional convention for proposing such an amendment to the Federal Constitution.

SECTION 4. That copies of this Resolution shall be sent by the Secretary of State to our members of Congress.

SECTION 5. That the Secretary of State of this state is directed to send copies of this Joint Resolution to the Secretary of State and presiding officers of both Houses of the Legislature, the Congress and of each of the other States in the Union.

Correctly Enrolled. *M. W. Wilkins* Chairman, COMMITTEE ON ENGROSSED AND ENROLLED BILLS

Passed the House of Representatives the 4th day of March, 1976.

*Wm. P. Willis*  
Speaker of the House of Representatives.

Passed the Senate the 8th day of April, 1976.

*Henry B. Lambert*  
President of the Senate.

OFFICE OF THE GOVERNOR

Received by the Governor this 13<sup>th</sup>  
day of April, 1976,  
at 3:00, o'clock P. M.

By: *Boston W. Smith*

Approved by the Governor of the State of Oklahoma the 15<sup>th</sup> day of  
April, 1976, at 4:45 o'clock P. m.

*[Signature]*  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this 16<sup>th</sup>  
day of April, 1976,  
at 9:30, o'clock A. M.

By: *James W. Byrd*