

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Senators S. Bell and Pagan**

S.C.R.

5
6
7 **SENATE CONCURRENT RESOLUTION**

8 TO RESCIND THE PREVIOUS APPLICATION BY THE GENERAL
9 ASSEMBLY TO THE CONGRESS OF THE UNITED STATES THAT IT CALL
10 A CONSTITUTIONAL CONVENTION TO PROPOSE AN AMENDMENT TO THE
11 CONSTITUTION TO BALANCE THE PUBLIC DEBT.
12

13 WHEREAS, under Article V of the Constitution of the United States,
14 amendments to the Federal Constitution may be proposed by the Congress
15 whenever two-thirds of both Houses deem it necessary, or on the application of
16 the Legislatures of two-thirds of the several states, the Congress shall call
17 a Constitutional Convention for the purpose of proposing amendments; and

18 WHEREAS, by House Joint Resolution 1, adopted by the House of
19 Representatives on January 9, 1979, and adopted by the Senate on January 17,
20 1979 and again on January 22, 1979 after the previous vote was expunged, the
21 General Assembly of the State of Arkansas requested the Congress of the United
22 States to prepare and submit to the several states an amendment to the
23 Constitution of the United States requiring, in the absence of a national
24 emergency, that the total of all federal appropriations made by Congress for
25 any fiscal year may not exceed the total of all estimated federal revenues for
26 that fiscal year, or alternatively, the General Assembly made application and
27 requested the Congress of the United States to call a Constitutional
28 Convention for the purpose of proposing such an amendment to the federal
29 Constitution; and

30 WHEREAS, many legal experts believe that a convention, notwithstanding
31 whatever limitation might be placed upon it by the call of said convention,
32 would have within the scope of its authority the complete redrafting of the
33 Constitution of the United States of America, thereby creating a great danger
34 to the well-established rights of our people and to the constitutional
35 principles under which we are presently governed; and

1 WHEREAS, the Constitution of the United States of America has been
2 extensively interpreted and has proven to be a basically sound document which
3 protects the freedom of all Americans; and

4 WHEREAS, there is no need for a new constitution, the adoption of which
5 would create legal chaos in America and only begin the process of another two
6 centuries of litigation over its interpretation by the courts; and

7 WHEREAS, such changes as may be needed in the present Constitution of
8 the United States may be proposed and enacted by the well-established methods
9 of amendment contained therein.

10

11 NOW THEREFORE,

12 BE IT RESOLVED BY THE SENATE OF THE SEVENTY-EIGHTH GENERAL ASSEMBLY OF THE
13 STATE OF ARKANSAS, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

14

15 THAT the General Assembly does hereby rescind its application to the
16 Congress of the United States made by the General Assembly in 1979 by House
17 Joint Resolution 1 pursuant to Article V of the Constitution of the United
18 States of American for the calling of a constitutional convention for any
19 purpose, limited or general.

20 BE IT FURTHER RESOLVED that a copy of this Resolution be sent to the
21 members of the Congress from Arkansas, the Clerk of the United States House of
22 Representatives, Washington, D.C., and the Secretary of the United States
23 Senate, Washington, D.C., with the request that this action by the General
24 Assembly of the State of Arkansas be promptly published in the Congressional
25 Record.

26

27

28

29

30

31

32

33

34

35

