

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009

As Engrossed: H3/24/09

HCR 1022

4
5 By: Representative Hobbs
6 By: *Senator Altes*

7
8
9 **HOUSE CONCURRENT RESOLUTION**

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

15
16 **Subtitle**

17 TO RESCIND THE PREVIOUS APPLICATION BY
18 THE GENERAL ASSEMBLY TO THE CONGRESS OF
19 THE UNITED STATES THAT IT CALL A
20 CONSTITUTIONAL CONVENTION TO PROPOSE AN
21 AMENDMENT TO THE CONSTITUTION TO BALANCE
22 THE PUBLIC DEBT.

23
24
25 *WHEREAS, under Article V of the Constitution of the United States,*
26 *amendments to the Federal Constitution may be proposed by the Congress*
27 *whenever two-thirds of both Houses deem it necessary, or on the application*
28 *of the Legislatures of two-thirds of the several states, the Congress shall*
29 *call a Constitutional Convention for the purpose of proposing amendments; and*
30

31 *WHEREAS, by House Joint Resolution 1, adopted by the House of*
32 *Representatives on January 9, 1979, and adopted by the Senate on January 17,*
33 *1979, and again on January 22, 1979, after the previous vote was expunged,*
34 *the General Assembly of the State of Arkansas requested the Congress of the*
35 *United States to prepare and submit to the several states an amendment to the*
36 *Constitution of the United States requiring, in the absence of a national*



1 emergency, that the total of all federal appropriations made by Congress for
2 any fiscal year may not exceed the total of all estimated federal revenues
3 for that fiscal year, or alternatively, the General Assembly made application
4 and requested the Congress of the United States to call a Constitutional
5 Convention for the purpose of proposing such an amendment to the federal
6 Constitution; and

7
8 WHEREAS, many legal experts believe that a convention, notwithstanding
9 whatever limitation might be placed upon it by the call of said convention,
10 would have within the scope of its authority the complete redrafting of the
11 Constitution of the United States, thereby creating a great danger to the
12 well-established rights of our people and to the constitutional principles
13 under which we are presently governed; and

14
15 WHEREAS, the Constitution of the United States has been extensively
16 interpreted and has proven to be a basically sound document which protects
17 the freedom of all Americans; and

18
19 WHEREAS, there is no need for a new constitution, the adoption of which
20 would create legal chaos in America and only begin the process of another two
21 centuries of litigation over its interpretation by the courts; and

22
23 WHEREAS, such changes as may be needed in the present Constitution of
24 the United States may be proposed and enacted by the well-established methods
25 of amendment contained therein,

26
27 NOW THEREFORE,

28 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE EIGHTY-SEVENTH GENERAL
29 ASSEMBLY OF THE STATE OF ARKANSAS, THE SENATE CONCURRING THEREIN:

30
31 THAT the General Assembly does hereby rescind its application to the
32 Congress of the United States made by the General Assembly in 1979 by House
33 Joint Resolution 1 pursuant to Article V of the Constitution of the United
34 States for the calling of a constitutional convention for any purpose,
35 limited or general.

36

1 *BE IT FURTHER RESOLVED that a copy of this Resolution be sent to the members*
2 *of the Arkansas Congressional Delegation, the Clerk of the United States*
3 *House of Representatives, and the Secretary of the United States Senate with*
4 *the request that this action by the General Assembly of the State of Arkansas*
5 *be promptly published in the Congressional Record.*

6

7

8

9

/s/ Hobbs

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

31

32

33

34

35

36