

1 State of Arkansas  
2 87th General Assembly  
3 Regular Session, 2009  
4

*As Engrossed: H3/24/09 H4/2/09*

HCR 1022

5 By: Representatives Hobbs, J. Burris, Clemmer, Dale, Dismang, English, Garner, Glidewell, R. Green,  
6 King, S. Malone, M. Martin, Pyle, Rice, Slinkard, G. Smith

7 By: Senator Altes  
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## HOUSE CONCURRENT RESOLUTION

10  
11 TO RESCIND THE PREVIOUS APPLICATION BY THE  
12 GENERAL ASSEMBLY TO THE CONGRESS OF THE UNITED  
13 STATES THAT IT CALL A CONSTITUTIONAL CONVENTION  
14 TO PROPOSE AN AMENDMENT TO THE CONSTITUTION TO  
15 BALANCE THE PUBLIC DEBT.  
16

### Subtitle

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19 THE GENERAL ASSEMBLY TO THE CONGRESS OF  
20 THE UNITED STATES THAT IT CALL A  
21 CONSTITUTIONAL CONVENTION TO PROPOSE AN  
22 AMENDMENT TO THE CONSTITUTION TO BALANCE  
23 THE PUBLIC DEBT.  
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26 *WHEREAS, under Article V of the Constitution of the United States,*  
27 *amendments to the Federal Constitution may be proposed by the Congress*  
28 *whenever two-thirds of both Houses deem it necessary, or on the application*  
29 *of the Legislatures of two-thirds of the several states, the Congress shall*  
30 *call a Constitutional Convention for the purpose of proposing amendments; and*  
31

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



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

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

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

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

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

27  
28 *NOW THEREFORE,*

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

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

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

*/s/ Hobbs*