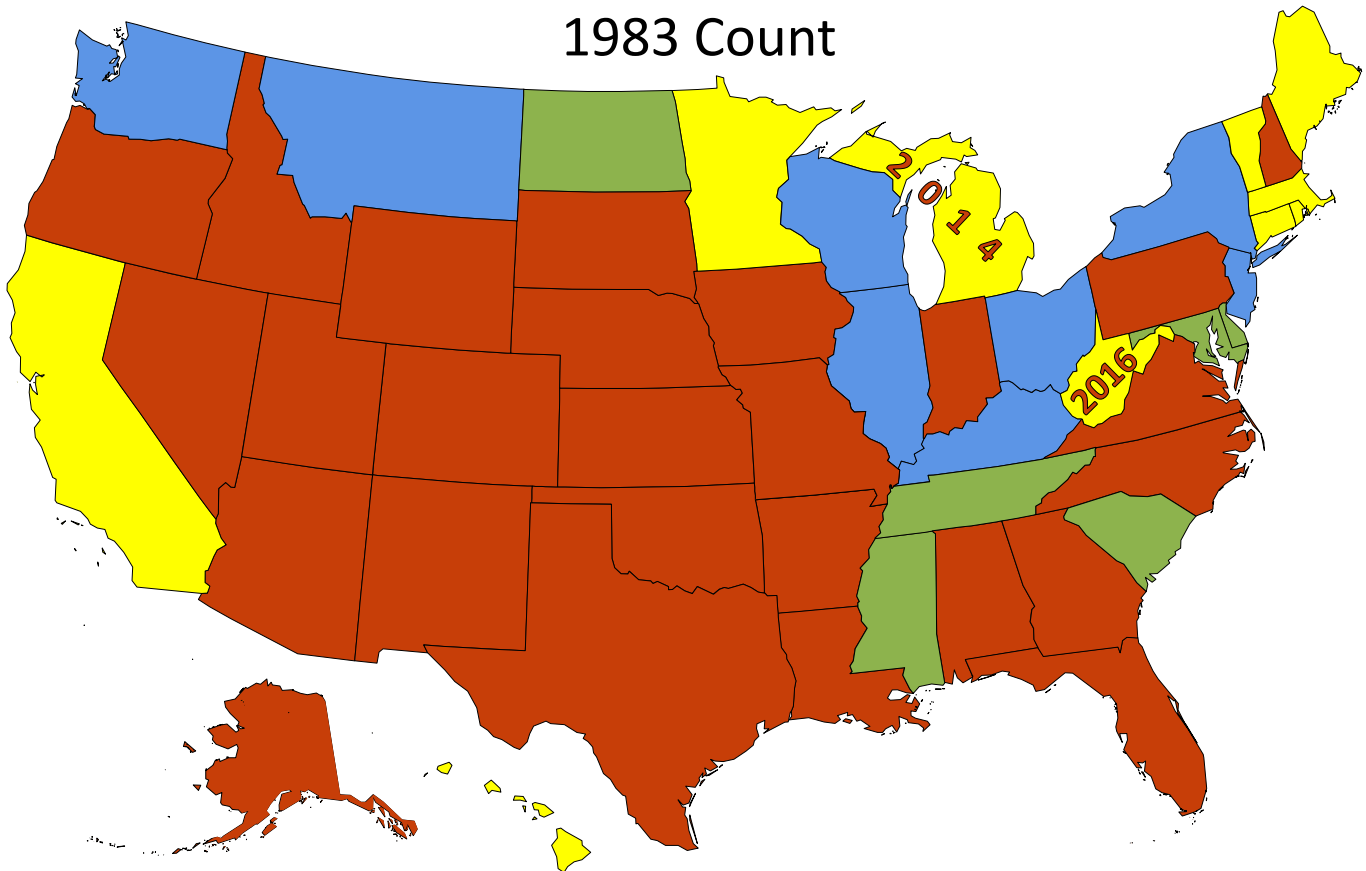


Convention Applications for Fiscal Responsibility

1983 Count



Blue: Intended to be used for any subject 6-8

Green: Fiscal Responsibility with Specific Text 3-6

Red: Fiscal Responsibility without Specific Text 26

Total: 35-40

Blue States are plenary convention applications that specifically indicate intent by that state to consider any subject. Montana and New Jersey have arguably plenary calls.

Green States have fiscal responsibility applications with specific amendment text. South Carolina, Tennessee, and Maryland's applications have a clause that indicates the language is an example, hence non-restrictive. Delaware's application explicitly tries to restrict the convention to stated text. Mississippi and North Dakota's applications are ambiguous about the intent of their text.

Red States comprise the 26 with applications valid in 1983 only for fiscal responsibility and without specific text written into the application. Note: once a 34 count is attained, any state legislature with a valid application among those 34+ may act at any subsequent time to enforce Congress' duty to call the amending convention.

Yellow States had no relevant convention application in 1983, though Michigan and West Virginia passed applications later. Once a 34 count is attained, all states have separate standing from their legislatures because all 50 states have an enforceable constitutional right to meet in convention. This right persists even after convention calls are rescinded.

Article V Convention Declaratory Judgment Action: A Quick Reference Guide

The States' Equal Power to propose amendments: "The Congress..., on the Application of the Legislatures of two thirds of the several States, ***shall call*** a Convention for proposing Amendments, which ... shall be valid ... as part of this Constitution, when ratified by ... three fourths of the several States." The founders and contemporary scholars are essentially unanimous about this aspect of Article V: once valid applications from two thirds (34) of the states exist, Congress has no discretion in its ministerial duty to call the convention.

At least 35 states have valid Applications: As of 1983, twenty-six (26) states had similarly worded applications unambiguously limited to the subject matter of fiscal responsibility. Six (6) additional states had valid fiscal responsibility applications, but included specific amendment wording. Of those six, three limit that wording to the exact language in those applications, making them potentially incompatible with the others. The other three states specify that their proposed fiscal responsibility language need be only "substantially similar", which the [Congressional Research Service](#), citing a [Congressional Report](#), argues makes these three compatible for a total of twenty-nine (29) fiscal responsibility applications. Finally, at least six (6) additional states as of 1983 had valid applications unambiguously intended to be plenary (any subject) with two (2) more arguably also plenary. Together with the 29 to 32 fiscal-responsibility-only applications to reach a total of at least 35 and up to 40.

Congress' continuing duty to call: Possibly as early as 1979 and certainly by 1983, at least two-thirds of the states, had consistent fiscal responsibility and plenary applications. Since that time, some states have rescinded their applications or have passed new ones. However, a convention application is an agreement among the states. Like any other contract, once 34 states have applied for a convention, the right of all states to meet in convention vests and that right remains enforceable until it is fulfilled, making subsequent rescissions irrelevant. Debate among scholars over the validity of the "old" plenary applications, one dating to 1789, ceased as of 1992 with ratification of the 27th amendment. That amendment was proposed by Congress in 1789 and ratified by the states over the period from 1791 through 1992, a timeline highly analogous to this application counting.

At least 35 State Legislatures and all 50 States have standing: As of 1983, at least 35 states had valid applications for a convention for proposing amendments limited to the subject of fiscal responsibility. Any one of these state legislatures has standing to sue at any subsequent time to enforce their right to call a convention, because Congress by delay or inaction may not usurp that legislature's right. Once a 34 count is attained, all 50 states have standing separate from their legislatures to sue because all 50 states then have an enforceable constitutional right to meet in convention that Congress may not usurp by failure in its ministerial duty.

Safeguards: The set of 35 applications is subject to the restrictions imposed by twenty-nine (29) of those states: limiting the convention to the subject matter of fiscal responsibility. Those limits are enforceable through a variety of means. Once called by Congress, a Convention for proposing Amendments has the power only to propose an amendment, which then must be "ratified by the Legislatures of three fourths [38] of the several States, or by Conventions in three fourths thereof" exactly as if Congress had proposed it. Ratification is by one-state, one-vote, meaning that any proposed amendment must be written to reach that very high bar and can be vetoed by only 13 states. Additionally, delegates to the convention are sent by each of the 50 states for the singular purpose of drafting a fiscal responsibility amendment and subject to ongoing control by their state's legislature. Further, fiscal responsibility is an overwhelmingly popular bipartisan issue, one of very few subjects that, with a well-written amendment, can meet the high bar of ratification by 38 states.

Declaratory Judgment: Under the Declaratory Judgment Act, the court can declare the existence of a right. This Act has been used successfully to declare that plaintiffs have a right to Congressional action and to allow them to proceed as if Congress had performed its ministerial duties, even without ordering Congress to actually perform an action directly. The Supreme Court has acknowledged that actions assigned to a legislative body under Article V are not necessarily legislative in nature and that our founders were very clear that Congress has no discretion here. The typical bars against suing Congress, such as the Political Question Doctrine and the Speech and Debate Clause, do not apply in these circumstances.

**Listing of Resolutions Constituting an Application for a Convention for Proposing
Amendments Under Article V Limited to the Subject Matter of Fiscal Responsibility**

The following is a compilation of at least 35 state applications for a Convention for Proposing Amendments on the subject of fiscal responsibility valid as of 1983. This collection comprises twenty-six applications that do not prescribe specific amendment language, three that include amendment language as illustrative examples, and six broad applications open to any topic, which collectively form a unified set advocating for fiscal responsibility exceeding the requisite 34. Additionally, there are two applications that are arguably plenary and three with specific text for a fiscal responsibility amendment language that may or may not be compatible with the other 35, potentially raising the total to 40. Depending on the criteria for inclusion, the threshold of 34 applications may have been met as early as 1979. Also included are more recent applications from two states that initiated applications for fiscal responsibility for the first time after 1983.

	State	Text Excerpt – Fiscal Responsibility Convention Call
1.	Alabama HJR 227 (1976)	“[T]he Alabama Legislature makes application and requests that the Congress of the United States call a constitutional convention, pursuant to Article V of the Constitution of the United States, for the specific and exclusive purpose of proposing an amendment to the Federal Constitution 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.”
2.	Alaska HJR 17 am S (1982)	“[T]his body makes application and requests that the Congress of the United States call a convention for the sole and exclusive purpose of proposing an amendment to the Constitution of the United States which would require that, in the absence of a national emergency, the total of all appropriations made by Congress for a fiscal year shall not exceed the total of all estimated federal revenues for that fiscal year[.]”
3.	Arizona SJR 1002 (1979)	“[T]he Congress of the United States call a constitutional convention for the specific and exclusive purpose of proposing 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.”
4.	Arkansas HJR 1 (1979)	“[T]his Body makes application and requests that the Congress or the United States call a constitutional convention for the specific and exclusive purpose or proposing an amendment to the Federal Constitution 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 or all estimated Federal revenues for that fiscal year[.]”
5.	Colorado SJM 1 (1978)	“That the Congress of the United States is hereby memorialized to call a constitutional convention pursuant to Article V of the constitution of the United States for the specific and exclusive purpose of proposing an amendment to the federal constitution prohibiting deficit spending except under conditions specified in such amendment.”
6.	Florida SM 234 (1976)	“A memorial to the Congress of the United States making application to the Congress to call a convention for the sole and exclusive purpose of proposing an amendment to the Constitution of the United States to require a balanced federal budget and to make certain exceptions thereto.”
7.	Georgia HR 469-1267 (1976)	“That this body respectfully petitions the Congress of the United States to call a convention for the specific and exclusive purpose of proposing an amendment to the Constitution of the United States to require a balanced federal budget and to make certain exceptions with respect thereto.”

8.	Idaho HCR 7 (1979)	"[T]he Legislature makes application and 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 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[.]"
9.	Indiana SJR 8 (1979)	"The General Assembly of the State of Indiana makes application to the Congress of the United States for a convention to be called under Article V of the Constitution of the United States for the specific and exclusive purpose of proposing an amendment to the Constitution to the effect that, in the absence of a national emergency, 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."
10.	Iowa SJR 1 (1979)	"[T]he Iowa general assembly respectfully makes application to and petitions the congress of the United States to call a convention for the specific and exclusive purpose of proposing an amendment to the Constitution of the United States to require a balanced federal budget and to make certain exceptions with respect thereto."
11.	Kansas SCR 1661 (1978)	"[T]he Legislature of the State of Kansas hereby makes application to the Congress of the United States to call a convention for the sole and exclusive purpose of proposing an amendment to the Constitution of the United States which would require that, in the absence of a national emergency, the total of all appropriations made by the Congress for a fiscal year shall not exceed the total of al estimated federal revenues for such fiscal year. If the Congress shall propose such an amendment to the Constitution, this application shall no longer be of any force or effect[.]"
12.	Louisiana SCR 4 (1979)	"[T]his body respectfully petitions the Congress of the United States to call a convention for the specific and exclusive purpose of proposing an amendment to the constitution of the United States to require a balanced federal budget and to make certain exceptions with respect thereto."
13.	Missouri SCR 3 (1983)	"[T]his body respectfully makes application to the Congress of the United States for a convention to be called under Article V . . . for the specific and exclusive purpose of proposing an amendment to the Constitution of the United States to require a balanced federal budget and to make certain exceptions with respect thereto."
14.	Nebraska LR 106 (1976)	"That, alternatively, this Legislature makes application and requests that the Congress of the United States call a constitutional convention for the specific and exclusive purpose of proposing 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 revenue for that fiscal year."
15.	Nevada SJR 8 (1980)	"That this legislature requests the Congress of the United States to call a convention limited to proposing an amendment to the Constitution of the United States which would provide that, in the absence of a national emergency, the total of all federal appropriations for any fiscal year must not exceed the total of the estimated federal revenue for that year."
16.	New Hampshire HCR 8 (1979)	"[T]his body respectfully petitions the Congress of the United States to call a convention for the specific and exclusive purpose of proposing an amendment to the Constitution of the United States to require a balanced federal budget and to make certain exceptions with respect thereto[.]"

17.	New Mexico SJR 1 (1976)	"[T]his body makes application and 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 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[.]"
18.	North Carolina SJR 1 (1979)	"[T]his body respectfully petitions the Congress of the United States to call a convention for the exclusive purpose of proposing an amendment to the Constitution of the United States to require a balanced federal budget in the absence of a national emergency."
19.	Oklahoma HJR 1049 (1976)	"[T]his 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 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."
20.	Oregon SJM 2 (1977)	"That this body respectfully petitions the Congress of the United States to call a convention for the specific and exclusive purpose of proposing an amendment to the Constitution of the United States to require a balanced federal budget and to make certain exceptions with respect thereto."
21.	Pennsylvania HR 236 (1976)	"[T]he General Assembly of the Commonwealth of Pennsylvania makes application and 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 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."
22.	South Dakota SJR 1 (1979)	"[T]his Legislature hereby makes application under said Article V of the Constitution of the United States . . . and requests that the Congress of the United States call a constitutional convention for the specific and exclusive purpose of proposing an amendment to the Constitution of the United States requiring in the absence of a national emergency, as defined by law, 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[.]"
23.	Texas HCR 31 (1977)	"[T]his body request 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 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[.]"
24.	Utah HJR 12 (1979)	"[T]his Legislature applies to the Congress of the United States to call a constitutional convention for the specific and exclusive purpose of proposing an amendment to the federal constitution which would require, 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 that total of all estimated federal revenues from that fiscal year."
25.	Virginia SJR 36 (1976)	"[T]his Body makes application and 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 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[.]"

26.	Wyoming HJR 7 (1961)	“[P]ursuant to the provisions of Article V of the Constitution of the United States, application is hereby made to the Congress of the United States to call a convention for the purpose of proposing an amendment to such Constitution under which, except for trust fund expenditures and receipts, the expenditures of the Federal Government during any fiscal year may not exceed the estimated receipts of such Government during such fiscal year, unless a substantial majority of the Congress, on recommendation of the President and because of war or other grave national emergency, votes to suspend the limitation on expenditures for a specified period of time.”
	State	Text Excerpt – Convention Call for amendment that “reads substantially” like a provided example. The Congressional Research Service, citing a House Judiciary Committee report, endorsed this language as sufficient for consensus.
27.	Maryland SJR 4 (1975)	“That this Body further and alternatively requests that the Congress of the United States call a constitutional convention for the specific <u>and exclusive</u> purpose of proposing such an amendment to the Federal Constitution, to be a new Article XXVII... read substantially as... ‘The total of all Federal appropriations made by the Congress for any fiscal year may not exceed the total of the estimated Federal revenues for that fiscal year... [unless] the President proclaims a national emergency...’ ”
28.	South Carolina S 1024 (1978)	“Memorializing Congress to Call a Constitutional Convention for the Purpose of Amending the Federal Constitution to Limit Annual Federal Appropriations to Annual Revenues, with Certain Exceptions. . . . That Congress is requested, pursuant to Article V of the United States Constitution, to call a constitutional convention for the specific and exclusive purpose of proposing an amendment to the Federal Constitution... read substantially as follows ”
29.	Tennessee HJR 22 (1977)	“That pursuant to Article V of the Constitution of the United States, application is hereby made to the United States Congress to call a convention for the purpose of considering and proposing an amendment to the Constitution of the United States to require that, in the absence of a national emergency, the total of all federal appropriations made by the Congress for any fiscal year may not exceed the total of the estimated federal revenues for that fiscal year, such amendment to read substantially as follows . . . ”
	State	Text Excerpt – Open Convention Call
30.	Illinois (1861)	“Be it resolved by the General Assembly of the State of Illinois, That if application shall be made to Congress, by any of the States deeming themselves aggrieved, to call a convention, in accordance with the constitutional provision aforesaid, to propose amendments to the constitution of the United States, that the Legislature of the State of Illinois will and does hereby concur in making such application.”
31.	Kentucky R.1 (1861)	“Resolved by the General Assembly of the Commonwealth of Kentucky: That application to Congress to call a convention for proposing amendments to the Constitution of the United States, pursuant to the fifth article thereof, be, and the same is hereby, now made by this General Assembly of Kentucky; and we hereby invite our sister States to unite with us, without delay, in similar application to Congress.”
32.	New York (1789)	“We . . . make this application to Congress, that a convention be immediately called, of deputies from the several States, with full power to take into their consideration the defects of this Constitution that have been suggested by the State Conventions, and report such amendments thereto as they shall find best suited to promote our common interests, and secure to ourselves and our latest posterity, the great and unalienable rights of mankind.”
33.	Ohio (1861)	“Resolved by the General Assembly of the State of Ohio, That this general assembly does hereby make application to congress to call a convention for proposing amendments to the constitution of the United States, pursuant to the fifth article thereof.”

34.	Washington HB 90 (1901)	"That application be and the same is hereby made to the Congress of the United States of America to call a convention for proposing amendments to the constitution of the United States of America as authorized by article v of the constitution of the United States of America."
35.	Wisconsin JR 65 S (1929)	"[T]he legislature of the state of Wisconsin hereby earnestly requests and petitions congress to call a convention for proposing amendments to the United States constitution[.]"
	State	Text Excerpt – Arguably Open Convention Call
36.	New Jersey (1861)	"That as the union of states is in imminent danger unless the remedies before suggested be speedily adopted, then as a last resort, the state of New Jersey hereby makes application, according to the terms of the constitution, of the Congress of the United States to call a convention (of the states) to propose amendments to said constitution."
37.	Montana SJR 1 (1911)	"That the Legislature of the State of Montana... desires to join with the other States of the Union, and respectfully request that a convention of the several states be called for the purpose of proposing amendments to the Constitution of the United States, and hereby apply to and request the Congress of the United States to call such convention and... at the said convention, the State of Montana, will propose, among other amendments , that Section 3 of Article I, of the Constitution of the United States."
	State	Text Excerpt – Convention Call for amendment with specific text. Delaware clearly indicates that it intends to restrict the convention to the stated text. North Dakota and Mississippi are ambiguous as to their intent.
38.	North Dakota SCR 4018 (1975)	"A concurrent resolution of the North Dakota Legislature calling for an amendment to the U.S. Constitution proposing to the several states the requirement of a balanced U.S. cash budget for each session of Congress except in time of war or national emergency That we respectfully propose an amendment to the Constitution of the United States and call upon the people of the several states for a convention[.]"
39.	Mississippi HCR 51 (1975)	"That we do hereby, pursuant to Article V of the Constitution of the United States, make application to the Congress of the United States to call a convention of the several states for the proposing of the following amendment to the Constitution of the United States . . . The Congress shall make no appropriation for any fiscal year if the resulting total of appropriations for such fiscal year would exceed the total revenues[.]"
40.	Delaware HCR 36 (1975)	"[T]he General Assembly of the State of Delaware hereby, and pursuant to Article V of the Constitution of the United States, makes application to the Congress of the United States to call a convention for the proposing of the following amendment to the Constitution of the United States . . . The costs of operating the Federal Government shall not exceed its income during any fiscal year, except in the event of declared war. [This] constitutes a continuing application . . . until at least two-thirds of the legislatures of the several states have made similar applications[.]"
	State	Fiscal Responsibility – After 1983, not part of the present count.
41.	Michigan SJR V (2014)	"Michigan petitions the congress of the United States of America, at its session, to call a convention of the states limited to proposing an amendment to the constitution of the United States requiring that in the absence of a national emergency 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, together with any related and appropriate fiscal restraints."
42.	West Virginia HCR 36 (2016)	"Legislature of the State of West Virginia herewith respectfully applies for an Amendments Convention to Propose a Constitutional Amendment limited to proposing an amendment to the Constitution of the United States requiring that in the absence of a national emergency 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 together with any related and appropriate fiscal restraints"

Alabama HJR 227 (1976)

1

PETITIONING THE CONGRESS OF THE UNITED STATES TO CONVENE A CONSTITUTIONAL CONVENTION FOR THE PURPOSE OF PROPOSING AN AMENDMENT TO THE CONSTITUTION REQUIRING THAT FEDERAL SPENDING NOT EXCEED ESTIMATED FEDERAL REVENUES.

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; and

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; and

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; and

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

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 vital to bring the fiscal discipline needed to restore financial responsibility; and

WHEREAS, there is provision in Article V of the Constitution of the United States for amending the Constitution by the Congress, on the application of the legislatures of two-thirds (2/3) of the several states, calling a convention for proposing amendments which shall be valid to all intents and purposes when ratified by the legislatures of three-fourths (3/4) of the several states, or by conventions in three-fourths (3/4) thereof, as the one or the other mode of ratification may be proposed by the Congress; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislature of Alabama hereby petitions 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 Alabama Legislature 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.

BE IT FURTHER RESOLVED, That, alternatively the Alabama Legislature makes application and requests that the Congress of the United States call a constitutional convention, pursuant to Article V of the Constitution of the United States, for the specific and exclusive purpose for proposing an amendment to the Federal Constitution 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.

FURTHER RESOLVED, That the legislatures of each of the several states comprising the United States are urged to 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 amendment to the Federal Constitution.

FURTHER RESOLVED, That the Clerk of the House is directed to send copies of this Joint Resolution to the Secretary of State and presiding officers of both Houses of the Legislatures of each of the other States in the Union, the Clerk of the United States House of Representatives, Washington, D.C., and the Secretary of the United States Senate, Washington, D.C., and to each member of the Alabama Congressional Delegation.

Approved August 18, 1976.

Time: 6:30 P.M.

Alaska HJR 17 am S (1982)

2

Relating to an amendment to the Constitution of the United States which would require that total federal appropriations not exceed total estimated federal revenues in a fiscal year in the absence of a national emergency.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:

WHEREAS annually the United States moves more deeply into debt as its expenditures exceed its available revenues and the public debt now exceeds hundreds of billions of dollars; and

WHEREAS annually the federal budget demonstrates the unwillingness or inability of the federal government to spend in conformity with available revenues; and

WHEREAS proper planning, fiscal prudence, and plain good sense require that the federal budget be in balance absent national emergency; and

WHEREAS a continuously unbalanced federal budget except in a national emergency causes continuous and damaging inflation and consequently a severe threat to the political and economic stability of the United States; and

WHEREAS, under Article V of the Constitution of the United States, amendments to the Constitution may be proposed by Congress or, on the application of the legislatures of two-thirds of the states, Congress shall call a constitutional convention for the purpose of proposing amendments;

BE IT RESOLVED by the Alaska State Legislature that the Congress of the United States is requested to propose and submit to the states an amendment to the Constitution of the United States which would require that within four years after its ratification by the various states, in the absence of a national emergency, the total of all appropriations made by Congress for a fiscal year shall not exceed the total of all estimated federal revenues for that fiscal year; and be it

FURTHER RESOLVED that, alternatively, this body makes application and requests that the Congress of the United States call a convention for the sole and exclusive purpose of proposing an amendment to the Constitution of the United States which would require that, in the absence of a national emergency, the total of all appropriations made by Congress for a fiscal year shall not exceed the total of all estimated federal revenues for that fiscal year; and be it

FURTHER RESOLVED that if Congress proposes such an amendment to the Constitution this application shall no longer be of any force or effect; and be it;

FURTHER RESOLVED that this application and request shall no longer be of any force or effect if the convention is not limited to the exclusive purpose specified by this resolution.

COPIES of this resolution shall be sent to the Secretary of the United States Senate; the Clerk of the United States; House of Representatives; to the Honorable Ted Stevens and the Honorable Frank Murkowski, U. S. Senators, and the Honorable Don Young, U. S. Representative, members of the Alaska delegation in Congress.

Arizona SJR 1002 (1979)

3

A JOINT RESOLUTION

REQUESTING THE CONGRESS OF THE UNITED STATES TO PROPOSE AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES REQUIRING THAT IN THE ABSENCE OF A NATIONAL EMERGENCY THE TOTAL OF ALL FEDERAL APPROPRIATIONS FOR ANY FISCAL YEAR MAY NOT EXCEED THE TOTAL OF ALL ESTIMATED FEDERAL REVENUES FOR THAT 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; and

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, and

Whereas, unified budgets do not reflect actual spending because of the exclusion of social outlays which are not included in the budget nor subject to the legal public debt limit; and

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

Whereas, fiscal irresponsibility at the federal level, with the inflation which results from this policy, is the greatest threat facing our nation; and

Whereas, constitutional restraint is necessary to bring the fiscal discipline needed to restore financial responsibility; and

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 the Congress shall call a constitutional convention for the purpose of proposing amendments.

Therefore

Be It resolved by the Legislature of the State of Arizona:

1. That the Congress of the United States institute procedures to add a new article to the Constitution of the United States and that the Congress of the United States 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.

2. That, alternatively, the Congress of the United States call a constitutional convention for the specific and exclusive purpose of proposing 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.

3. That this application constitutes a continuing application in accordance with Article V of the Constitution of the United States until at least two-thirds of the legislatures of the several states have made similar applications pursuant to Article V, but if Congress proposes an amendment to the Constitution identical in subject matter to that contained in this Joint Resolution then this petition for a constitutional convention shall no longer be of any force or effect.

4. 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.

5. That the Secretary of State of the State of Arizona transmit copies of this Resolution to the President of the United States Senate, the Speaker of the House of Representatives of the United States, to each Member of the Arizona Congressional Delegation and to the Secretary of State and the presiding officers of both houses of the legislature of each of the other states in the Union.

Passed the Senate – February 15, 1979 by the following vote: 27 Ayes, 3 Nays, 0 Not Voting

Passed the House – March 9, 1979 by the following vote: 49 Ayes, 8 Nays, 3 Not Voting

Received by the Secretary of State – March 22, 1979

Arkansas HJR 1 (1979)

4

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; and

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; and

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

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

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; and

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 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 SEVENTY-SECOND GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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 to add a new Article to the Constitution of the United States, and that the General Assembly of the State of Arkansas 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; and

BE IT FURTHER RESOLVED:

THAT, alternatively, this Body makes application and 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 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; and

BE IT FURTHER RESOLVED:

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; and

BE IT FURTHER RESOLVED:

THAT copies of this Resolution be sent by the Secretary of State to the Arkansas Congressional Delegation; and

BE IT FURTHER RESOLVED:

THAT the Secretary of State of the State of Arkansas is directed to send copies of this Joint Resolution to the Secretary of State and presiding officers of both Houses of the Legislature of each of the other States in the Union, the Clerk of the House of Representatives, Washington, D. C., and the Secretary of the United States Senate, Washington, D. C.

Colorado SJM 1 (1978)

5

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; and

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; and

WHEREAS, Convinced 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 vital to bring the fiscal discipline needed to restore financial responsibility; and

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 which shall be valid to all intents and purposes when ratified by the legislatures of three-fourths of the several states; now, therefore,

Be It Resolved by the Senate of the Fifty-first General Assembly of the State of Colorado, the House of Representatives concurring herein:

That the Congress of the United States Is hereby memorialized to call a constitutional convention pursuant to article V of the constitution of the United States for the specific and exclusive purpose of proposing an amendment to the federal constitution prohibiting deficit spending except under conditions specified in such amendment.

Be It Further Resolved, That this application and request be deemed null and void, rescinded, and of no effect in the event that such convention not be limited to such specific and exclusive purpose.

Be It Further Resolved, That copies of this memorial be sent to the secretary of state and presiding officers of both houses of the legislatures of each of the several states in the union, the clerk of the United States house of representatives, the secretary of the United States senate, and to each member of the Colorado congressional delegation.

Fred E. Anderson
PRESIDENT OF THE SENATE
Marorie L. Rutenbeck
SECRETARY OF THE SENATE
Ronald H. Strahle
SPEAKER OF THE HOUSE OF REPRESENTATIVES
Lorraine F. Lombardi
CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES

Florida SM 234 (1976)

6

A memorial to the Congress of the United States making application to the Congress to call a convention for the sole and exclusive purpose of proposing an amendment to the Constitution of the United States to require a balanced federal budget and to make certain exceptions thereto.

WHEREAS, it is estimated, as of August, 1975, that the federal debt at the end of the 1975 fiscal year will be \$558.637 billion, and

WHEREAS, the fiscal year deficit for 1976 will be the largest in our history, between \$70 and \$80 billion, and

WHEREAS, the growing debt is a major contributor to inflation, lagging economic investment, excessive interest rates, and the resulting unemployment, and

WHEREAS, the economic welfare of the United States and its citizens depends on a stable dollar and sound economy, and

WHEREAS, the National Conference of State Legislatures passed Resolution #11 at its Annual Business Meeting on October 10, 1975, urging the Congress to take prompt and affirmative action to limit federal spending, and

WHEREAS, there is provision in Article V of the Constitution of the United States for amending the Constitution by the Congress, on the application of the legislatures of two-thirds of the several states, calling a convention for proposing amendments which shall be valid to all intents and purposes when ratified by the legislatures of three-fourths of the several states, or by conventions in three-fourths thereof, as the one or the other mode of ratification may be proposed by the Congress, NOW, THEREFORE,

Be It Resolved by the Legislature of the State of Florida:

That the Legislature of the State of Florida does hereby make application to the Congress of the United States pursuant to Article V of the Constitution of the United States to call a convention for the sole purpose of proposing an amendment to the Constitution of the United States to require a balanced federal budget and to make certain exceptions with respect thereto.

BE IT FURTHER RESOLVED that a copy of this memorial be transmitted to the presiding officers of the Senate and the House of Representatives of Congress, the members of the Congressional delegation from the State of Florida and to the presiding officers of each house of the several state legislatures.

Filed in Office Secretary of State June 10, 1976.

Georgia HR 469-1267 (1976)

7

A RESOLUTION

Applying to the Congress of the United States to call a convention for the purpose of proposing an amendment to the Constitution of the United States; and for other purposes.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

That this body respectfully petitions the Congress of the United States to call a convention for the specific and exclusive purpose of proposing an amendment to the Constitution of the United States to require a balanced federal budget and to make certain exceptions with respect thereto.

Be it further resolved that this application by the General Assembly of the State of Georgia constitutes a continuing application in accordance with Article V of the Constitution of the United States until at least two-thirds of the legislatures of the several states have made similar applications pursuant to Article V, but if Congress proposes an amendment to the Constitution identical in subject matter to that contained in this Resolution before January 1, 1977, this petition for a Constitutional Convention shall no longer be of any force or effect.

Be it further resolved that the Clerk of the House of Representatives is hereby authorized and instructed to transmit a duly attested copy of this Resolution to the Secretary of the Senate of the United States Congress, the Clerk of the House of Representatives of the United States Congress, to the Presiding Officer of each House of each State Legislature in the United States, and to each member of the Georgia Congressional Delegation.

IN HOUSE

Read and Adopted

January 14, 1976

Glenn W. Ellard

CLERK

IN SENATE

Read and Adopted

January 19, 1976

Hamilton McWhorter, Jr.

SECRETARY

Idaho HCR 7 (1979)

8

A CONCURRENT RESOLUTION

FOR 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.

Be It Resolved by the Legislature of the State of Idaho:

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; and

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; and

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; and

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

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; and

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 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 members of the First Regular Session of the Forty-fifth Idaho Legislature, the House of Representatives and the Senate concurring, that the Legislature 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 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; and

BE IT FURTHER RESOLVED, that, alternatively, the Legislature makes application and 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 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; and

BE IT FURTHER RESOLVED, that this application by this Legislature constitutes a continuing application in accordance with Article V of the Constitution of the United States until at least two-thirds of the Legislatures of the several states have made similar applications pursuant to Article V, but if Congress proposes an amendment to the Constitution identical in subject matter to that contained in this resolution then this petition for a Constitutional Convention shall no longer be of any force or effect; and

BE IT FURTHER RESOLVED, that this application and request be deemed null and void, rescinded, and of no effect in the event that such convention not be limited to such specific and exclusive purpose; and

BE IT FURTHER RESOLVED, that this Legislature 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 require the Congress to call a Constitutional Convention for proposing such an amendment to the Federal Constitution; and

BE IT FURTHER RESOLVED, that the Clerk of the House of Representatives be and he is hereby directed to forward copies of this resolution to the Secretary of State and presiding officers of both Houses of the Legislatures of each of the other States in the Union, the Speaker of the United States House of Representatives, the President of the United States Senate, and the members of the Congress of the United States representing the State of Idaho.

Indiana SJR 8 (1979)

9

A JOINT RESOLUTION requesting the Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States to the effect that, in the absence of a national emergency, 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.

Be it resolved by the General Assembly of the State of Indiana:

SECTION 1. The General Assembly of the State of Indiana makes application to the Congress of the United States for a convention to be called under Article V of the Constitution of the United States for the specific and exclusive purpose of proposing an amendment to the Constitution to the effect that, in the absence of a national emergency, 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. The Secretary of the Senate is instructed to transmit a certified copy of this joint resolution to the President of the Senate of the Congress of the United States, the Speaker of the House of Representatives of the Congress of the United States, the presiding officer of each chamber of each state legislature in the United States, and each member of the Indiana congressional delegation.

Iowa SJR 1 (1979)

10

A JOINT RESOLUTION

FOR THE PURPOSE OF REQUESTING APPROPRIATE ACTION BY THE CONGRESS, EITHER ACTING BY CONSENT OF TWO-THIRDS OF BOTH HOUSES OR, ON 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 FEDERAL BUDGET BE BALANCED.

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; and

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; and

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; and

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

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

WHEREAS, under Article five (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 the congress shall call a constitutional convention for the purpose of proposing amendments which shall be valid to all intents and purposes when ratified by three-fourths of the several states, and we believe such action is vital; NOW THEREFORE,

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. The Iowa general assembly proposes to the congress of the United States that procedures be instituted in the congress to propose and submit to the several states before July 1, 1980, an amendment to the Constitution of the United States requiring that the federal budget be balanced in the absence of a national emergency.

Sec. 2. Alternatively, effective July 1, 1980, if the Congress of the United States has not proposed and submitted to the several states an amendment as provided in section one (1) of this resolution, the Iowa general assembly respectfully makes application to and petitions the congress of the United States to call a convention for the specific and exclusive purpose of proposing an amendment to the Constitution of the United States to require a balanced federal budget and to make certain exceptions with respect thereto.

Sec. 3. Effective July 1, 1980, this application by the Iowa general assembly constitutes a continuing application in accordance with Article five (V) of the Constitution of the United States until the legislatures of at least two-thirds of the several states have made similar applications pursuant to Article five (V), but if the congress proposes an amendment to the Constitution identical in subject matter to that contained in this resolution, or if before July 1, 1980, the general assembly repeals this application to call a constitutional convention, then this application and petition for a constitutional convention shall no longer be of any force or effect.

Sec. 4. This application and petition shall be deemed null and void, rescinded, and of no effect in the event that such convention not be limited to such specific and exclusive purpose.

Sec. 5. The Iowa general assembly 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 if the Congress of the United States has not proposed and submitted to the several states an amendment as provided in section one (1) of this resolution before July 1, 1980.

Sec. 6. The secretary of state of Iowa is directed to send copies of this resolution to the secretary of state and presiding officers of both houses of the legislatures of each of the several states in the union, the speaker and the clerk of the United States house of representatives, the president and the secretary of the United States senate, and each member of the Iowa congressional delegation.

TERRY E. BRANSTAD

President of the Senate

FLOYD H. MILLEN

Speaker of the House

Kansas SCR 1661 (1978)

11

A CONCURRENT RESOLUTION requesting and applying to the Congress of the United States to propose, or to call a convention for the purpose of proposing, an amendment to the Constitution of the United States which would require that, in the absence of a statutorily defined national emergency, total federal appropriations shall not exceed total estimated federal revenues in a fiscal year.

WHEREAS, Annually the United States moves more deeply in debt as its expenditures exceed its available revenues and the public debt now exceeds hundreds of billions of dollars; and

WHEREAS, Annually the federal budget demonstrates the unwillingness or inability of the federal government to spend in conformity with available revenues; and

WHEREAS, Proper planning, fiscal prudence and plain good sense require that the federal budget be in balance absent national emergency; and

WHEREAS, A continuously unbalanced federal budget except in a national emergency causes continuous and damaging inflation and consequently a severe threat to the political and economic stability of the United States; and

WHEREAS, Under Article V of the Constitution of the United States, amendments to the 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 states, the Congress shall call a constitutional convention for the purpose of proposing amendments: Now, therefore,

Be it resolved by the Legislature of the State of Kansas, two-thirds of the members elected to the Senate and two-thirds of the members elected to the House of Representatives concurring therein: That the Congress of the United States is hereby requested to propose and submit to the states an amendment to the Constitution of the United States which would require that within five years after its ratification by the various states, in the absence of a national emergency, the total of all appropriations made by the Congress for a fiscal year shall not exceed the total of all estimated federal revenues for such fiscal year; and

Be it further resolved: That, alternatively, the Legislature of the State of Kansas hereby makes application to the Congress of the United States to call a convention for the sole and exclusive purpose of proposing an amendment to the Constitution of the United States which would require that, in the absence of a national emergency, the total of all appropriations made by the Congress for a fiscal year shall not exceed the total of all estimated federal revenues for such fiscal year. If the Congress shall propose such an amendment to the Constitution, this application shall no longer be of any force or effect; and

Be it further resolved: That the legislature of each of the other states in the Union is hereby urged to request and apply to the Congress to propose, or to call a convention for the sole and exclusive purpose of proposing, such an amendment to the Constitution.

Be it further resolved: That the Secretary of State be directed to transmit copies of this resolution to the Clerk of the United States Senate, each member of the Kansas delegation in the United States Congress and the secretary of state and presiding officers of each house of the legislature of each state.

I hereby certify that the above CONCURRENT RESOLUTION originated in the SENATE, and was adopted by that body

March 7, 1978

Ross O'Doyen

President of the Senate

Lu Kenney

Secretary of the Senate

Adopted by the House April 26, 1978

John Carlin

Speaker of the House

Geneva Seward

Chief Clerk of the House

Louisiana SCR 4 (1979)

12

A CONCURRENT RESOLUTION

To memorialize and apply to the Congress of the United States to take appropriate action, either acting by consent of two-thirds of both Houses or, upon the application of the legislatures of two-thirds of the several states, to call a constitutional convention to propose an amendment to the federal constitution to require, with certain exceptions, that the federal budget be balanced.

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; and

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; and

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; and

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

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. The Louisiana Legislature firmly believes that constitutional restraint is necessary to bring the fiscal discipline needed to restore financial responsibility; and

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 the Congress shall call a constitutional convention for the purpose of proposing amendments which shall be valid to all intents and purposes when ratified by three-fourths of the several states.

THEREFORE, BE IT RESOLVED by the Senate of the Legislature of the state of Louisiana, the House of Representatives thereof concurring, that the Congress of the United States institute procedures to propose and submit to the several states an amendment to the Constitution of the United States requiring that the federal budget be balanced in the absence of a national emergency.

BE IT FURTHER RESOLVED that, alternatively, this body respectfully petitions the Congress of the United States to call a convention for the specific and exclusive purpose of proposing an amendment to the constitution of the United States to require a balanced federal budget and to make certain exceptions with respect thereto.

BE IT FURTHER RESOLVED, that this application by the Louisiana Legislature constitutes a continuing application in accordance with Article V of the Constitution of the United States until at least two-third of the legislatures of the several states have made similar applications pursuant to Article V, but if Congress proposes an amendment to the constitution identical in subject matter to that contained in this Resolution, then this petition for a constitutional convention shall no longer be of any force or effect.

BE IT FURTHER RESOLVED, that this application and request be deemed null and void, rescinded, and of no effect in the event that such convention not be limited to such specific and exclusive purpose.

BE IT FURTHER RESOLVED, that the Louisiana Legislature 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.

BE IT FURTHER RESOLVED that a duly attested copy of this Resolution be immediately transmitted to the president of the United States, to the

secretary of the United States Senate, to the clerk of the United States House of Representatives, to each member of the Louisiana delegation to the United States Congress, and to the presiding officer of each house of each state Legislature in the United States.

Michael H. O'Keefe

PRESIDENT OF THE SENATE

E.L. Henry

SPEAKER OF THE HOUSE OF REPRESENTATIVES

* Not signed by the Governor.¹

¹ Note appears in original text.

Missouri SCR 3 (1983)

13

For 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, to propose an amendment to the federal constitution to require, with certain exceptions, that the federal budget be balanced.

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 one trillion dollars; and

WHEREAS, the annual federal budget continually demonstrates an unwillingness or inability of both the legislative and executive branches of the federal government to limit the growth of federal spending and taxes and balance the budget; and

WHEREAS, unified budgets do not reflect actual spending because of the exclusion of special outlays which are not included in the budget; and

WHEREAS, knowledgeable planning, fiscal prudence and plain good sense require that the budget reflect all federal spending and be in balance on a regular basis; and

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; and

WHEREAS, the federal deficit in Fiscal Year 1982 was \$110.7 billion, nearly double the deficit in Fiscal Year 1981; and

WHEREAS, the Congressional Budget Office projects a deficit for Fiscal Years 1983 and 1984 of \$155 billion and \$200 billion, respectively; and

WHEREAS, the United States Senate approved a proposed balance budget amendment in response to the efforts of the thirty-one state legislatures which have requested a limited convention on this subject, and its conviction about the needs for a constitutional restraint upon Congress fiscal authority; and

WHEREAS, the Reagan Administration has indicated that the budget will not be balanced by 1984; and

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, the Congress shall call a constitutional convention for the purpose of proposing amendments which shall be valid for all intents and purposes when ratified by three-fourths of the several states, believing such action to be vital;

NOW, THEREFORE, BE IT RESOLVED by the Senate of the Eighty-second General Assembly of the State of Missouri, the House of Representatives concurring therein, that the Missouri General Assembly 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 Missouri General Assembly requests the Congress to prepare and submit to the several states before January 1, 1984, an amendment to the Constitution of the United States, requiring a balanced federal budget and to make certain exceptions with respect thereto; and

BE IT FURTHER RESOLVED that if, by January 1, 1984, the Congress has not proposed and submitted to the several states such an amendment, this body respectfully makes application to the Congress of the United States for a convention to be called under Article V of the Constitution of the United States for the specific and exclusive purpose of proposing an amendment to the Constitution of the United States to require a balanced federal budget and to make certain exceptions with respect thereto; and

BE IT FURTHER RESOLVED that effective January 1, 1984, this application constitutes a continuing application in accordance with Article V of the Constitution of the United States until the legislatures of at least two-thirds of the several states have made similar applications pursuant to Article V, but if the Congress proposes an amendment to the Constitution identical in subject matter to that contained in this resolution, then this application and petition for a constitutional convention shall no longer be of any force or effect; and

BE IT FURTHER RESOLVED that this application shall be deemed null and void, rescinded and of no effect in the event that such convention not be limited to such specific and exclusive purpose; and

BE IT FURTHER RESOLVED that this body also proposes that the legislatures of each of the several states comprising the United States which have not yet made similar applications apply to the Congress requesting the enactment of an appropriate amendment to the federal constitution, and making application to the Congress to call a constitutional convention for the purpose of proposing such an amendment to the federal constitution; and

BE IT FURTHER RESOLVED that copies of this resolution be sent by the Secretary of the Senate and the Chief Clerk of the House of Representatives to each member of Congress representing Missouri; and

BE IT FURTHER RESOLVED that the Secretary of the Senate and the Chief Clerk of the House of Representatives of this state be directed to send copies of this resolution to the Secretary of State and presiding officers of both Houses of the Legislature of each of the other states in the Union, the Clerk of the United States House of Representatives, Washington, D.C. and the Secretary of the United States Senate, Washington, D.C.

I, Terry L. Spieler, Secretary of the Senate, and I, Douglas Burnett, Chief Clerk of the House, do hereby certify that the aforementioned is a true and correct copy of the Senate Concurrent Resolution No. 3, adopted by the Senate on March 28, 1983, and concurred in by the House of Representatives on May 31, 1983.

Terry L. Spieler

SECRETARY OF THE SENATE

Douglas W. Burnett

CHIEF CLERK OF THE HOUSE

Nebraska LR 106 (1976)

14

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

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 revenue; and

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

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; and

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, the Congress shall call a constitutional convention for the purpose of proposing amendments. We believe such action is vital.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE EIGHTY-FOURTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

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 State of Nebraska 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 this Congress for any fiscal year may not exceed the total of all estimated federal revenue for that fiscal year.
2. That, alternatively, this Legislature makes application and requests that the Congress of the United States call a constitutional convention for the specific and exclusive purpose of proposing 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 revenue for that fiscal year.
3. That this Legislature also proposes that the Legislature 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.
4. That the Clerk of the Legislature transmit a copy of this resolution to the President of the Senate of the United States, the Speaker of the House of Representatives of the United States, each member of the Nebraska Congressional delegation, the Secretaries of State and the Legislatures of each of the several states, and the Secretary of State for the State of Nebraska.

Nevada SJR 8 (1980)

15

FILE NUMBER 39

SENATE JOINT RESOLUTION—Requesting the Congress of the United States to call a convention limited to proposing an amendment to the Constitution of the United States which would require a balanced budget in the absence of a national emergency.

WHEREAS, Proper economic planning, fiscal prudence and common sense require that the federal budget include all federal spending and be in balance; and

WHEREAS, The annual federal budgets continually reflect the unwillingness or inability of the legislative and executive branches of the Federal Government to balance the budget; and

WHEREAS, The national debt now amounts to hundreds of billions of dollars and is increasing enormously each year as federal expenditures exceed federal revenues; and

WHEREAS, The inflation and other results of the fiscal irresponsibility of the Federal Government demonstrate the need for a constitutional restraint upon excessive spending; and

WHEREAS, Article V of the Constitution of the United States provides that on the application of the legislatures of two-thirds of the states, Congress shall call a convention for proposing amendments to the Constitution; now, therefore, be it

Resolved by the Senate and Assembly of the State of Nevada, jointly, That this legislature requests the Congress of the United States to call a convention limited to proposing an amendment to the Constitution of the United States which would provide that, in the absence of a national emergency, the total of all federal appropriations for any fiscal year must not exceed the total of the estimated federal revenue for that year; and be it further

Resolved, That this legislature conditions this request upon the Congress of the United States' establishing appropriate restrictions limiting the subject matter of a convention called pursuant to this resolution to the subject matter of this resolution, and if the Congress fails to establish such restrictions, this resolution has no effect and must be considered at nullity; and be it further

Resolved, That a copy of this resolution be immediately transmitted by the legislative counsel to the Vice President of the United States as President of the Senate and the Speaker of the House of Representatives of the United States, to each member of the Nevada congressional delegation and to the presiding officer of each house of the legislatures of the several states; and be it further

Resolved, That this resolution shall become effective upon passage and approval.

[January 18th, 1980]

New Hampshire HCR 8 (1979)

!6

A RESOLUTION

concerning the budget of the United States

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; and

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; and

WHEREAS, unified budgets do not reflect actual spending because of the exclusion of special outlays which are not included in the budget non subject to the Legal public debt Limit; and

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

WHEREAS, the State of New Hampshire has Long been known for its sensible, prudent approach to governmental spending; and

WHEREAS, the New Hampshire example of fiscal responsibility is a model for all to follow; and

WHEREAS, we believe 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; and

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 the Congress shall call a constitutional convention for the purpose of proposing amendments which shall be valid to all intents and purposes when ratified by three-fourths of the several states. We believe such action vital; now, therefore, be it

RESOLVED by the Legislature of the State of New Hampshire, that this body proposes to the Congress of the United States that procedures be instituted in the Congress to propose and submit to the several states an amendment to the Constitution of the United States requiring that the federal budget be balanced in the absence of a national emergency; and be it further

RESOLVED, that, alternatively, this body respectfully petitions the Congress of the United States to call a convention for the specific and exclusive purpose of proposing an amendment to the Constitution of the United States to require a balanced federal budget and to make certain exceptions with respect thereto; and be it further

RESOLVED, that this application by this body constitutes a continuing application in accordance with Article V of the Constitution of the United States until at Least two-thirds of the Legislatures of the several states have made similar application pursuant to Article V, but if Congress proposes an amendment to the Constitution identical in subject matter to that contained in this House Concurrent Resolution, then this petition for a Constitutional Convention shall no Longer be of any force on effect; and be it further

RESOLVED, that this application and request be deemed null and void, rescinded, and of no effect in the event that such convention not be Limited to such specific and exclusive purpose; and be it further

RESOLVED, that this Body also proposes that the Legislature 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; and be it further

RESOLVED, that copies of this resolution be sent to the Secretary of State and presiding officers of both houses of the Legislatures of each of the several states in the Union, the Speaker and the Clerk of the United States House of Representatives, the President and the Secretary of the United States Senate, and for each member of the New Hampshire named Congressional delegation.

Passed: April 26, 1979

Gorge B. Roberts, Jr.

Speaker of the House

Robert B. Monier

President of the Senate

New Mexico SJR 1 (1979)

17

A JOINT RESOLUTION

FOR 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.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

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; and

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; and

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; and

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

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; and

WHEREAS, under article 5 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, the congress shall call a constitutional convention for the purpose of proposing amendments; we believe such action is vital;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO 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 New Mexico 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; and

BE IT FURTHER RESOLVED that, alternatively, this body makes application and 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 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; and

BE IT FURTHER RESOLVED 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; and

BE IT FURTHER RESOLVED that copies of this resolution be sent by the secretary of state to the members of New Mexico's delegation to the congress of the United States; and

BE IT FURTHER RESOLVED 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 of each of the other states in the union, the clerk of the United States house of representatives, Washington, D. C. and the secretary of the United States Senate, Washington, D. C.

North Carolina SJR 1 (1979)

18

A JOINT RESOLUTION APPLYING TO THE CONGRESS OF THE UNITED STATES TO CALL A CONVENTION TO PROPOSE AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES TO REQUIRE A BALANCED FEDERAL BUDGET.

Whereas, believing that inflation is the most serious problem facing the people of the United States, and the primary cause of inflation is unchecked federal spending; and

Whereas, the State of North Carolina is required by its Constitution to have a balanced budget, and has long operated on a sound fiscal basis which the federal government would be well-served to emulate; and

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, the Congress shall call a Constitutional Convention for the purpose of proposing amendments which shall be valid when ratified by the legislatures of three-fourths of the several states or by conventions in three-fourths thereof;

Whereas, by Resolution 97 of the General Assembly, ratified July 1, 1977, the Congress was requested to submit an amendment to the states to require a balanced federal budget, but the Congress has failed to act;

Now, therefore, be it resolved by the Senate, the House of Representatives concurring:

Section 1. That the Congress of the United States is requested to propose and submit to the states an amendment to the Constitution of the United States which would require that, in the absence of a national emergency, the federal budget be balanced each fiscal year within four years after the amendment is ratified by the various states.

Sec. 2. That, alternatively, this body respectfully petitions the Congress of the United States to call a convention for the exclusive purpose of proposing an amendment to the Constitution of the United States to require a balanced federal budget in the absence of a national emergency.

Sec. 3. That this application constitutes a continuing application in accordance with Article V of the Constitution of the United States until at least two-thirds of the legislatures of the several states have made similar applications pursuant to Article V, or until this application is rescinded by the General Assembly of North Carolina; but if Congress proposes an amendment to the Constitution identical in subject matter to that contained in this joint resolution before January 1, 1980, this petition for a Constitutional Convention shall no longer be of any effect.

Sec. 4. That this application and request be deemed rescinded in the event that the convention 'is not limited to the subject matter of this application.

Sec. 5. That since this application under Article V of the Constitution of the United States is the exercise of a fundamental power of the sovereign states under the Constitution of the United States, it is requested that receipt of this application by the Senate and the House of Representatives of the United States Congress be officially noted and duly entered upon their respective records, and that the full context of this resolution be published in the official publication of both -the Senate and the House of Representatives of the Congress.

Sec. 6. That copies of this resolution be sent to the Secretaries of State, -presiding officers of all state legislatures in the Union, the Clerk of the United States House of Representatives, the Secretary of the United States Senate, and each member of the North Carolina Congressional delegation.

Sec. 7. This resolution is effective upon ratification.

In the General Assembly read three times and ratified, this the 29th day of January, 1979.

James C. Green

President of the Senate

Carl J. Stewart, Jr.

Speaker of the House of Representatives

Oklahoma HJR 1049 (1976)

19

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.

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 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 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.

Oregon SJM 2 (1977)

20

To the Honorable Members of the Senate and House of Representatives of the United States of America, in Congress assembled:

We, your memorialists, the Fifty-ninth Legislature Assembly of the State of Oregon, in legislative session assembled, most respectfully represent as follows:

Whereas the level of federal expenditures demonstrates an unwillingness or inability of both the legislative and executive branches of the Federal Government to curtail spending to conform to available revenues; and

Whereas inflation is being fought almost exclusively by monetary policy while fiscal policy could and should be employed; and

Whereas the State of Oregon by its Constitution and its laws in adopting a budget must show a balance relation between the total proposed spending and the total anticipated revenues or provide for paying the deficiency; and

Whereas it is just and proper that the United States of America in its obligation to provide leadership for all of the states of the union should pursue the same policy; and

Whereas a balanced budget would lessen the economic burdens on its citizens; and

Whereas a balanced budget would lessen the need for increased state and local taxes; now, therefore,

Be It Resolved by the Legislative Assembly of the State of Oregon:

(1) That this body respectfully petitions the Congress of the United States to call a convention for the specific and exclusive purpose of proposing an amendment to the Constitution of the United States to require a balanced federal budget and to make certain exceptions with respect thereto.

(2) That this application by this body constitutes a continuing application in accordance with Article V of the Constitution of the United States until at least two-thirds of the legislatures of the several states have made similar applications pursuant to Article V, but if Congress proposes an amendment to the Constitution identical in subject matter to that contained in this Joint Memorial before January 1, 1979, this petition for a constitutional convention shall no longer be of any force or effect.

(3) That this body propose that the legislative body of each of the several states comprising the United States apply to the Congress of the United States requiring the Congress to call a constitutional convention for proposing an appropriate amendment to the Federal Constitution or requesting the enactment of such an amendment to be submitted to the states for ratification.

(4) That a copy of this memorial shall be transmitted to the President of the United States; to each member of the Oregon Congressional Delegation; to the presiding officers of the Senate and House of Representatives of the United States of America; to each Governor of each state in the United States of America; and to the presiding officer of each legislative body in the United States of America.

Adopted by the Senate June 6, 1977

Maribel Cadmus

Secretary of the Senate

Jason Boe

President of the Senate

Adopted by the House June 16, 1977

Philip D. Lang

Speaker of the House

Pennsylvania HR 236 (1976)

21

In the House of Representatives,

WHEREAS, 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; and

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; and

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; and

WHEREAS, Knowledgeable planning, fiscal prudence, and plain good sense require that the budget reflect all Federal spending and be in balance; and

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; and

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 the Congress shall call a Constitutional Convention for the purpose of proposing amendments. We believe some such action vital; therefore be it

RESOLVED, (The Senate concurring), That the General Assembly of the Commonwealth of Pennsylvania 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 General Assembly of the Commonwealth of Pennsylvania 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; and be it further

RESOLVED, That, alternatively, the General Assembly of the Commonwealth of Pennsylvania makes application and requests that the Congress of the United States States² 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 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; and be it further

RESOLVED, That the General Assembly of the Commonwealth of Pennsylvania 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 and be it further

RESOLVED, That copies of this resolution be sent to the members of the Congress from Pennsylvania: and be it further

RESOLVED, That the Chief Clerk of the House of Representatives send copies of this joint resolution to the Secretary of State and presiding officers of both Houses of the Legislature of each of the other states in the Union, the Clerk of the United States House of Representatives, Washington, D. C. and the Secretary of the United States Senate, Washington, D. C.

² Duplicate word appears in original document.

South Dakota SJR 1 (1979)

22

A JOINT RESOLUTION, Requesting appropriate action by the Congress, either acting by consent of two-thirds of both houses thereof or, upon the application of the legislatures of two-thirds of the several states, calling a constitutional convention therefor to propose an amendment to the Constitution of the United States 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 annual expenditures frequently exceed annual available revenues, so that the public debt also steadily increases to a size of inordinate proportions; and

WHEREAS, unified budgets do not necessarily reflect actual spending because of the exclusion of special spending outlays which are not included in the budget nor are subject to the statutory 1legal public debt limit; and

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

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

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

BE IT RESOLVED BY THE SENATE OF THE STATE OF SOUTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That the Legislature does hereby make application 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 South Dakota hereby 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, as defined by law, 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; and

BE IT FURTHER RESOLVED, that alternatively, this Legislature hereby makes application under said Article V of the Constitution of the United States and with the same force and effect as if this Resolution consisted of this portion alone and requests that the Congress of the United States call a constitutional convention for the specific and exclusive purpose of proposing an amendment to the Constitution of the United States requiring in the absence of a national emergency, as defined by law, 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; and

BE IT FURTHER RESOLVED, that this application and request be deemed null and void, rescinded, and of no effect in the event that such convention not be limited to such specific and exclusive purpose; and

BE IT FURTHER RESOLVED, that this application by this Legislature constitutes a continuing application in accordance with Article V of the Constitution of the United States until at least two-thirds of the legislatures of the several states have made applications for similar relief pursuant to Article V, but, if Congress proposes an amendment to the Constitution identical in subject matter to that contained in this Joint Resolution then this petition for a Constitutional Convention shall no longer be of any force or effect; and

BE IT FURTHER RESOLVED, that this Legislature 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; and

BE IT FURTHER RESOLVED, that copies of this Joint Resolution be sent by the Secretary of State to each member of the South Dakota Congressional Delegation; and

BE IT FURTHER RESOLVED, that the Secretary of State is directed to send copies of this Joint Resolution to the presiding officers of both Houses of the Legislature of each of the other states in the Union, the Clerk of the United States House of Representatives, Washington, D.C. and the Secretary of the United States Senate, Washington, D. C.

Texas HCR No. 31 (1977)

23

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; and

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; and

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; and

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

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; and

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 the congress shall call a constitutional convention for the sole purpose of proposing amendments. We believe such action vital; now, therefore, be it

RESOLVED by the House of Representatives of the State of Texas, the Senate concurring, That the 65th Legislature propose 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 State of Texas request 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; and, be it further

RESOLVED, That alternatively, this body request 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 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; and, be it further

RESOLVED, That this body also propose 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; and, be it further

RESOLVED, That official copies of this resolution be prepared and forwarded to the President of the Senate and the Speaker of the House of Representatives of the United States Congress and to all members of the Texas delegation to congress; and, be it further

RESOLVED, That official copies of this resolution also be prepared and forwarded to the secretaries of state and to the presiding officers of the legislatures of the other states with the request that they join this state in making application to the United States Congress to call a convention for proposing the aforementioned amendment to the United States Constitution.

Adopted by the House on May 23, 1977, by a non-record vote; adopted by the Senate on May 30, 1977: Yeas 25, Nays 6

Approved June 16, 1977

Filed with the Secretary of State, June 16, 1977

Utah HJR 12 (1979)

24

A JOINT RESOLUTION OF THE GENERAL SESSION OF THE 43RD LEGISLATURE OF THE STATE OF UTAH, CALLING UPON CONGRESS TO PASS A CONSTITUTIONAL AMENDMENT TO REQUIRE, IN THE ABSENCE OF A NATIONAL EMERGENCY, THAT THE TOTAL OF ALL FEDERAL APPROPRIATIONS BY CONGRESS FOR ANY FISCAL YEAR MAY NOT EXCEED THE TOTAL OF ALL ESTIMATED FEDERAL REVENUES FOR THAT FISCAL YEAR; APPLYING TO CONGRESS TO INITIATE PROCEEDINGS TO THAT END, OR, IN THE ALTERNATIVE, TO CALL A CONSTITUTIONAL CONVENTION FOR THE SOLE PURPOSE OF PROPOSING SUCH AN AMENDMENT;; AND CALLING UPON THE LEGISLATURES OF THE SEVERAL STATES LIKEWISE TO APPLY TO CONGRESS TO TAKE SUCH ACTION.

Be it resolved by the Legislature of the State of Utah:

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;

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, numerous states have constitutional requirements that appropriations not exceed anticipated revenues for the forthcoming year;

WHEREAS, believing that fiscal irresponsibility at the federal level, and the inflation which results therefrom, constitutes the greatest threat now facing our nation, this Legislature is of the firm conviction that constitutional restraint is necessary to bring the fiscal discipline needed to restore financial responsibility; and

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 and, on the application of the legislatures of two-thirds of the several states, the Congress shall call a constitutional convention for the sole purpose of proposing amendments, which action this Legislature deems vital.

NOW, THEREFORE, BE IT RESOLVED by the 43rd Legislature of the State of Utah, that the Congress of the United States is requested to institute procedures to add a new article to the Constitution of the United States and 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.

BE IT FURTHER RESOLVED that, alternatively, this Legislature applies to the Congress of the United States to call a constitutional convention for the specific and exclusive purpose of proposing an amendment to the federal constitution which would require, 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 that total of all estimated federal revenues for that fiscal year.

BE IT FURTHER RESOLVED, that this Legislature calls upon the legislatures of each of the several states to request Congress to enact an appropriate amendment to the federal constitution or, in the alternative, to apply to the Congress to call a constitutional convention for the sole purpose of proposing such an amendment to the federal constitution.

BE IT FURTHER RESOLVED, that copies of this Resolution be forwarded to the President of the Senate and the Speaker of the House of Representatives of the United States and to all members of the Utah delegation in Congress.

BE IT FURTHER RESOLVED, that copies of this Resolution also be prepared and forwarded to the secretaries of state and to the presiding officers of the legislatures of the several states with the request that they join this State in making application to the Congress of the United States to pass such an amendment or, in the alternative, to call a convention for the sole purpose of proposing such an amendment

BE IT FURTHER RESOLVED, that this application for a Convention Call for proposing amendments be limited to the subject matter of this Resolution and that the State of Utah be counted as a part of the necessary two-thirds states for such a call only if the convention is limited to the subject matter of this Resolution.

Virginia SJR 36 (1976)

25

Applying to Congress to initiate proceedings for the purpose of amending the Constitution of the United States to provide restrictions on Congressional appropriations.

Agreed to by the Senate, February 16, 1976

Agreed to by the House of Delegates, March 10, 1976

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; and

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; and

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

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; and 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 the Congress shall call a constitutional convention for the purpose of proposing amendments; and

WHEREAS, we believe such action vital; now, therefore, be it

RESOLVED by the Senate of Virginia, the House of Delegates concurring, That the General Assembly of Virginia 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 this Body hereby 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; and, be it

RESOLVED FURTHER, That, alternatively, this Body makes application and 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 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; and, be it

RESOLVED FURTHER, 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; and, be it

RESOLVED FINALLY, That copies of this resolution be presented forthwith to the President of the Senate and the Speaker of the House of Representatives of the United States, to each of the Senators and Representatives from Virginia and to the legislatures of each of the several states, attesting the adoption of this resolution.

Wyoming HJR 7 (1961)

26

A JOINT RESOLUTION making application to the Congress of the United States urging the call of a convention on behalf of an amendment to the Constitution of the United States under which expenditures of the Federal Government may not exceed estimated receipts except in emergency and by vote of a substantial majority of the Congress.

WHEREAS, the cumulated net federal deficit has grown to unmanageable proportions over the past thirty years and in this period there have been eighteen deficits in twenty-three non-war years; and

WHEREAS, governments should be required to operate within their income;

NOW, THEREFORE, BE IT RESOLVED by the House of the Thirty-Sixth Legislature of the State of Wyoming, the Senate of such Legislature concurring, that, pursuant to the provisions of Article V of the Constitution of the United States, application is hereby made to the Congress of the United States to call a convention for the purpose of proposing an amendment to such Constitution under which, except for trust fund expenditures and receipts, the expenditures of the Federal Government during any fiscal year may not exceed the estimated receipts of such Government during such fiscal year, unless a substantial majority of the Congress, on recommendation of the President and because of war or other grave national emergency, votes to suspend the limitation on expenditures for a specified period of time; and

BE IT FURTHER RESOLVED, that certified copies thereof be promptly transmitted to the President and Vice President of the United States, the Speaker of the House of Representatives of said Congress, United States Senator J. J. Hickey, United States Senator Gale W. McGee, Representative in Congress William Henry Harrison, United States Senator Styles Bridges, and United States Senator Harry F. Byrd.

ALBERT C. HARDING
President of the Senate
JOSEPH L. BUDD
Speaker of the House

APPROVED
Feb 21 1963
JACK R. GAGE
ACTING GOVERNOR
8:20 A.M.

Maryland SJR 4 (1975)

27

A Senate Joint Resolution concerning Budget of the United States

FOR the purpose of requesting appropriate action by the Congress, on its own action by consent of two-thirds of both Houses or on the application of the legislatures of two-thirds of the several states, to propose an amendment to the Federal Constitution to require that the total of all Federal appropriations may not exceed the total of all estimated Federal revenues in any fiscal year, with certain exceptions.

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.

Attempts to limit spending, including impoundment of funds by the President of the United States, have resulted in strenuous objections that the responsibility for appropriations is the constitutional duty of the Congress.

The annual Federal budget repeatedly demonstrates an unwillingness or inability of both the legislative and executive branches of the Federal to government curtail spending to conform to available revenues.

The unified budget of 304.4 billion dollars for the current fiscal year does 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.

As reported by US News and World Report on February 25, 1974, of these nonbudgetary outlays in the amount of 15.6 billion dollars, the sum of 12.9 billion dollars represents funding of essentially private agencies which provide special service to the federal government.

Knowledgeable planning and fiscal prudence require that the budget reflect all Federal spending and that the budget be in balance.

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 disciplines needed to reverse this trend.

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 the Congress shall call a constitutional convention for the purpose of proposing amendments; now, therefore, be it

RESOLVED BY THE GENERAL ASSEMBLY OF MARYLAND, That this Body proposes to the Congress of the United States that procedures be instituted in the Congress to add a new Article XXVII to the Constitution of the United States, and that the General Assembly of Maryland 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 the estimated Federal revenues, excluding any revenues derived from borrowing, for that fiscal year; and be it further RESOLVED, That this Body farther and alternatively requests that the Congress of the United States call a constitutional convention for the specific and exclusive³ purpose of proposing such an amendment to the Federal Constitution, to be a new Article XXVII; and be it further

RESOLVED, That this Body also proposes that the legislatures of each of the several states comprising the United States apply to the Congress requiring it to call a constitutional convention for proposing such an amendment to the Federal Constitution, to be a new Article XXVII; and be it further

RESOLVED, That the proposed new Article XXVII (or whatever numeral may then be appropriate) read substantially as follows:

PROPOSED ARTICLE XXVII

"The total of all Federal appropriations made by the Congress for any fiscal year may not exceed the total of the estimated Federal revenues for that fiscal year, excluding any revenues derived from borrowing; and this prohibition extends to all Federal appropriations and all estimated Federal revenues, excluding any revenues derived from borrowing. The President in submitting budgetary requests and the Congress in enacting appropriation bills shall comply with this Article. If the President proclaims a national emergency, suspending the requirement that the total of all Federal appropriations not exceed the total estimated Federal revenues for a fiscal year, excluding any revenues derived from borrowing, and two-thirds of all Members elected to each House of the Congress so determine by Joint Resolution, the total of all Federal appropriations may exceed the total estimated Federal revenues for that fiscal year."

and, be it further

RESOLVED, That copies of this Resolution under the Great Seal of the State of Maryland, be sent by the Secretary of State to: Honorable Gerald Ford, President of the United States, Washington, D.C.; Honorable Charles McC. Mathias, Old Senate Office Building, Washington, D.C.; Honorable J. Glenn Beall, Jr., Old Senate Office Building, Washington, D.C.; Honorable Carl Albert, Speaker of the House of Representatives, Washington, D.C.; Honorable Robert E. Bauman, Longworth Building, Washington, D.C.; Honorable Clarence D. Long, Rayburn Building, Washington, D.C.; Honorable Paul S. Sarbanes, Cannon Office Building, Washington, D.C.; Honorable Marjorie S. Holt, Longworth Building, Washington, D.C.; Honorable Gladys Spellman, House Office Building, Washington, D.C.; Honorable Goodloe E. Byron, Longworth Building, Washington, D.C.; Honorable Parren J. Mitchell, Cannon Building, Washington, D.C.; and Honorable Gilbert Gude, Cannon House Office Building, Washington, D.C.; and be it further

RESOLVED, That under the Great Seal of the State of Maryland, the Secretary of State is directed to send copies of this Joint Resolution to the Secretary of State and to the presiding officers of both Houses of the Legislature of each of the other States in the Union, with the request that it be circulated among leaders in the Executive and Legislative branches of the several State governments: and with the further request that each of the other States in the Union join in requiring the Congress of the United States to call a constitutional convention for the purpose of initiating a proposal to amend the Constitution of the United States in substantially the form proposed in this Joint Resolution of the General Assembly of Maryland.

³ Emphasis original

South Carolina S 1024 (1978)

28

Memorializing Congress to Call a Constitutional Convention for the Purpose of Amending the Federal Constitution to Limit Annual Federal Appropriations to Annual Revenues, with Certain Exceptions.

Whereas, with each passing year this Nation becomes more deeply in debt as congressional expenditures grossly and repeatedly exceed available revenues so that the public debt now exceeds a half-trillion dollars; and

Whereas, attempts to limit spending by means of the new congressional budget committee procedures have proved fruitless; and

Whereas, the annual Federal budget repeatedly demonstrates an unwillingness or inability of both the legislative and executive branches of the Federal government to curtail spending to conform to available revenues; and

Whereas, the proposed budget of five hundred billion dollars for fiscal year 1978-1979 does not reflect total spending because of the exclusion of special outlays which are not included in the budget nor subject to the legal public debt limit; and

Whereas, believing that fiscal irresponsibility at the Federal level, with the resulting inflation and decline in the Nation's trading position is a growing and corrosive threat to our economy, to the well-being of our people, and to our representative democracy, that constitutional restraint is necessary to bring the fiscal discipline needed to reverse this trend. Now, therefore,

Be it resolved by the Senate, the House of Representatives concurring:

That Congress is requested, pursuant to Article V of the United States Constitution, to call a constitutional convention for the specific and exclusive purpose of proposing an amendment to the Federal Constitution.

Be it further resolved that the proposed new amendment read substantially as follows:

"PROPOSED ARTICLE XXVII

The total of all federal appropriations made by the Congress for any fiscal year shall not exceed the total of the estimated federal revenues for that fiscal year, excluding any revenues derived from borrowing, and this prohibition extends to all federal appropriations and all estimated federal revenues, excluding any revenues derived from borrowing. The President in submitting budgetary requests and the Congress in enacting appropriation bills shall comply with this article.

The provisions of this article shall be suspended for one year upon the proclamation by the President of an unlimited national emergency. The suspension may be extended, but not for more than one year at any one time, if two-thirds of the membership of both Houses of Congress so determine by Joint Resolution."

Be it further resolved that copies of this resolution be forwarded to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives and to each member of Congress from South Carolina.

IN THE HOUSE, May 15, 1978 Adopted

CONCURRED IN as amended and RETURNED to SENATE

By Order of the House

/s/ Lois T. Shealy

Clerk

IN THE SENATE, May 16, 1978

House Amendments agreed to and a message sent accordingly

Concurrence of House RECEIVED AS INFORMATION

/s/ L. O. Thomas

Clerk

Tennessee HJR 22 (1977)

29

A RESOLUTION to make application to the United States Congress to call a constitutional convention for the purpose of proposing an amendment to the Constitution of the United States to require that the total of all federal appropriations may not exceed the total of all estimated federal revenues in any fiscal year, with a certain exception.

WHEREAS, each year this nation becomes more deeply in debt as its expenditures grossly and repeatedly exceed the available revenues to that the legal public debt limit has exceeded 437 billion dollars; and

WHEREAS, attempts to limit spending, including impoundment of funds by the President of the United States, have resulted in strenuous objections that the responsibility for appropriations is the constitutional duty of the Congress; and

WHEREAS, nonetheless, the annual budget repeatedly demonstrates an unwillingness or inability to curtail spending to conform to available revenues; and

WHEREAS, the federal budget never reflects actual spending because of the exclusion of special outlays which are neither included in the budget nor subject to the legal debt limit; and

WHEREAS, knowledgeable planning requires that the budget reflect all federal spending that the budget be in balance; and

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 a constitutional restraint is necessary to bring the fiscal discipline needed to reverse this trend; now, therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE NINETIETH GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE SENATE CONCURRING, That pursuant to Article V of the Constitution of the United States, application is hereby made to the United States Congress to call a convention for the purpose of consideration and proposing an amendment to the Constitution of the United States to require that, in the absence of a national emergency, the total of all federal appropriations made by the Congress for any fiscal year may not exceed the total of the estimated federal revenues for that fiscal year, such amendment to read substantially as follows:

The total of all federal appropriations made by the Congress for any fiscal year may not exceed the total of the estimated federal revenues for that fiscal year; and this prohibition extends to all federal appropriations and all estimated federal revenues without exception. The President in submitting budgetary requests and the Congress in enacting appropriation bills shall comply with this article. If the President proclaims a national emergency, suspending the requirement that the total of all federal appropriations not exceeding the total estimated federal revenues for a fiscal year, and two-thirds (2/3) of all members elected to each house of the Congress so determine by joint resolution, the total of all federal appropriations may exceed the total estimated federal revenues for that fiscal year.

BE IT FURTHER RESOLVED, That this application shall constitute a continuing application for such convention under Article V of the Constitution of the United States until the legislatures of two-thirds (2/3) of the several states shall have made like applications and such convention shall have been called and held in conformity therewith, unless the Congress itself proposes such amendment within the time and the manner herein provided.

BE IT FURTHER RESOLVED, That proposal of such amendment by the Congress and its submission for ratification to the legislatures of the several states substantially in the form of the article hereinabove specifically set forth, at any time prior to sixty (60) days after the legislatures of two-thirds (2/3) of the several states shall have made application for such convention, shall render such convention unnecessary and the same shall not be held. Otherwise, such convention shall be called and held in conformity with such applications.

BE IT FURTHER RESOLVED, That as this application under Article V of the Constitution of the United States is the exercise of a fundamental power of the sovereign states under the Constitution of the United States, it is requested that receipt of this application by the Senate and the House of Representatives of the Congress of the United States be officially noted and duly entered upon their respective records, and that the full context of this resolution be published in the official publication of both the Senate and the House of Representatives of the Congress.

BE IT FURTHER RESOLVED, That certified copies of this Resolution be transmitted forthwith to the Senate and the House of Representatives of the Congress of the United States, to each Senator and Representative in Congress from this state, and to each house of the legislature and to the Secretary of State of each of the several states.

ADOPTED: March 24, 1977

SPEAKER OF THE HOUSE OF REPRESENTATIVES

SPEAKER OF THE SENATE

APPROVED this 30th day of March, 1977

GOVERNOR

Illinois (1861)

30

JOINT RESOLUTIONS on Federal Relations.

WHEREAS, although the people of the State of Illinois do not desire any change in our Federal constitution, yet as several of our sister States have indicated that they deem it necessary that some amendment should be made thereto; and whereas, in and by the fifth article of the constitution of the United States, provision is made for proposing amendments to that instrument, either by congress or by a convention; and whereas a desire has been expressed, in various parts of the United States, for a convention to propose amendments to the constitution; therefore,

Be it resolved by the General Assembly of the State of Illinois, That if application shall be made to Congress, by any of the States deeming themselves aggrieved, to call a convention, in accordance with the constitutional provision aforesaid, to propose amendments to the constitution of the United States, that the Legislature of the State of Illinois will and does hereby concur in making such application.

Resolved, That, until the people of these United States shall otherwise direct, the present Federal Union must be preserved as it is, and the present constitution and laws must be administered as they are; and, to this end, in conformity with that constitution and the laws, the whole resource of the State of Illinois are hereby pledged to the Federal authorities.

Resolved, That copies of the above preamble and resolutions be sent to each of our Representatives and Senators in Congress and to the executives of the several States.

Kentucky R.1 (1861)

31

RESOLUTIONS recommending call for a Convention of the United States.

WHEREAS, The people of some of the States feel themselves deeply aggrieved by the policy and measures which have been adopted by the people of some of the other States; and whereas, an amendment of the Constitution of the United States is deemed indispensably necessary to secure them against similar grievances in the future; therefore,

Resolved by the General Assembly of the Commonwealth of Kentucky:

That application to Congress to call a convention for proposing amendments to the Constitution of the United States, pursuant to the fifth article thereof, be, and the same is hereby, now made by this General Assembly of Kentucky; and we hereby invite our sister States to unite with us, without delay, in similar application to Congress.

Resolved, That the Governor of this State forthwith communicate the foregoing resolution to the President of the United States, with the request that he immediately place the same before Congress, and the Executives of the several States, with the request that they lay them before their respective Legislatures.

Resolved, If the convention be called in accordance with the provisions of the foregoing resolutions, the Legislature of the Commonwealth of Kentucky suggest for the consideration of that convention, as a basis for settling existing difficulties, the adoption, by way of amendments to the Constitution, the resolutions offered in the Senate of the United States by the Hon. John J. Crittenden.

Approved January 25, 1861

New York (1789)

32

State of New York
In Assembly February 5th 1789

Resolved, if the Honorable the Senate concur therein that an Application be made to the Congress of the United States of America, in the Name and behalf of the Legislature of this State, in the words following, to wit.

The People of the State of New York having ratified the Constitution agreed to on the seventeenth Day of September, in the year of our Lord one thousand seven hundred and eighty seven, by the Convention then assembled at Philadelphia in the State of Pennsylvania, as explained by the said Ratification in the fullest Confidence of obtaining a Revision of the said Constitution, by a general Convention; and in confidence that certain powers in and by the said Constitution granted would not be exercised, until a Convention should have been called and convened for proposing Amendments to the said Constitution. In compliance therefore, with the unanimous sense of the Convention of this State, who all united in opinion, that such a Revision was necessary to recommend the said Constitution to the approbation and support of a numerous Body of their constituents; and a Majority of the Members of which conceived several Articles of the Constitution so exceptionable that nothing but such confidence and an invincible Reluctance to Separate from our Sister States could have prevailed upon a sufficient number to assent to it, without stipulating for previous Amendments: And from a conviction that the apprehensions and Discontents which those articles occasion cannot be removed or alloyed, unless an Act to revise the said Constitution, be among the first that shall be passed by the new Congress: We the Legislature of the State of New York, do in behalf of our Constituents in the most earnest and Solumn manner make this Application to the Congress, that a Convention of Deputies from the several States, be called as early as possible, with full powers to take the said Constitution into their Consideration and to propose such Amendments thereto, as they shall find best calculated to promote our common Interests and secure to ourselves and our latest Posterity, the great and unalienable Right of Mankind.

By order of the Assembly
John Lansing, House Speaker
In Senate
February 7th 1789
By Order of the Senate
Pierre Van Costlandt, President.

Ohio (1861)

33

JOINT RESOLUTION, Relative to requesting congress to call a convention of the several states of the Union.

Resolved by the General Assembly of the State of Ohio, That this general assembly does hereby make application to congress to call a convention for proposing amendments to the constitution of the United States, pursuant to the fifth article thereof.

Resolved, That the governor of this state be requested to communicate the above resolution to the president of the United States, with the request that he lay the same before congress.

ED. A. PARROTT,

Speaker pro tem. Of the House of Representatives.

JAMES MONROE,

President pro tem. of the Senate.

Passed March 20, 1861.

Washington HB 90 (1901)

34

MAKING APPLICATION TO CONGRESS FOR THE CALLING OF A CONSTITUTIONAL CONVENTION

AN ACT making application to the Congress of the United States of America to call a convention for proposing amendments to the constitution of the United States of America as authorized by article v of the constitution of the United States of America.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. That application be and the same is hereby made to the Congress of the United States of America to call a convention for proposing amendments to the constitution of the United States of America as authorized by article v of the constitution of the United States of America.

SEC. 2. That a duly certified copy of this act be immediately transmitted to the presiding officer of each legislative body of each of the several states of the United States of America through the Governor of each legislatures pass an act of like import as this act.

Passed by the House February 19, 1901.

Passed by the Senate March 12, 1901.

Approved by the Governor March 18, 1901.

Wisconsin JR 65 S (1929)

35

Memorializing the congress of the United States to call a convention for the purpose of proposing amendments to the United States constitution.

Whereas, Article V of the United States constitution provides for the calling of a convention to propose amendments to such constitution; and

Whereas, Other states have in the past asked that such a convention be called; and

Whereas, There are sections of the United States constitution that should be amended; therefore be it

Resolved by the senate, the assembly concurring, That the legislature of the state of Wisconsin hereby earnestly requests and petitions congress to call a convention for proposing amendments to the United States constitution; and be it further

Resolved, That a copy of this resolution, properly attested, be forwarded to the presiding officers of both houses of congress, to the presiding officers of the legislature of the other states, and to the Wisconsin senators and representatives in congress.

New Jersey (1861)

36

In relation to the Union of the States

Preamble.

WHEREAS, the people of New Jersey, conforming to the opinion of the "Father of his Country," consider the unity of the government, which constitutes the people of the United States one people, a main pillar in the edifice of their independence, the support of their tranquility at home and peace abroad, of their prosperity, and of that liberty which they so highly prize; and properly estimating the immense value of their National Union to their individual happiness, they cherish a cordial, habitual and immovable attachment to it as a palladium of their political safety and prosperity, therefore

Duties of citizens.

1. BE IT RESOLVED *by the Senate and General Assembly of the State of New York*, That it is the duty of every good citizen, in all suitable and proper ways, to stand by and sustain the Union of the States as transmitted to us by our fathers.

Union not compact or league.

2. *And be it resolved*, That the government of the United States is a national government, and the Union it was designed to perfect is not a mere compact or league; and that the constitution was adopted in the spirit of mutual compromise and concession by the people of the United States, and can only be preserved by the constant recognition of that spirit.

Forbearance and compromise recommended.

3. *And be it be resolved*, That however undoubted may be the right of the general government to maintain its authority and enforce its laws over all parts of the country, it is equally certain that forbearance and compromise are indispensable at this crisis to the perpetuity of the Union, and that it is the dictate of reason, wisdom and patriotism peaceably to adjust whatever differences exist between the different sections of our country.

Crittenden resolutions.

4. *And be it resolved*, That the resolutions and propositions submitted to the Senate of the United States by the Honorable John J. Crittenden, of Kentucky, for the compromise of the questions in dispute between the people of the northern and of the southern states, or any other constitutional method that will permanently settle the question of slavery, will be acceptable to the people of the state of New Jersey, and the senators and representatives in Congress, from New Jersey, be requested and earnestly urged to support those resolutions and propositions.

Convention to alter constitution.

5. *And be it resolved*, That as the union of states is in imminent danger unless the remedies before suggested be speedily adopted, then as a last resort, the state of New Jersey hereby makes application, according to the terms of the constitution, of the Congress of the United States to call a convention (of the states) to propose amendments to said constitution.

States urged to repeal obnoxious laws.

6. *And be it resolved*, That such of the states as have in force laws which interfere with the constitutional rights of citizens of other states, either in regard to their persons or property, or which militate against the just construction of that part of the constitution that provides that "the citizens of each state shall be entitled to all privileges and immunities of citizens of the several states," are earnestly urged and requested, for the sake of peace and Union, to repeal all such laws.

Commissioners appointed.

7. *And be it resolved*, That his Excellency, Charles S. Olden, Peter D. Vroom, Robert F. Stockton, Benjamin Williamson, Joseph F. Randolph, Frederick T. Frelinghuysen, Rodman M. Price, William C. Alexander and Thomas J. Stryker be appointed commissioners to confer with Congress and our sister states, and urge upon them the importance of carrying into effect the principles and objects of the foregoing resolutions.

Commissioners when and where to meet.

8. *And be it resolved*, That the commissioners above named, in addition to their other powers, be authorized to meet with those now or hereafter to be appointed by our sister state of Virginia, and such commissioners of other states as have been or may be hereafter appointed, to meet at Washington on the fourth day of February next.

Copies of resolution to be sent.

9. *And be it resolved*, That copies of the foregoing resolutions be sent to the President of the Senate and Speaker of the House of Representatives of the United States, and to the Senators and Representatives in Congress from New Jersey, and to the Governors of the several states.

Approved January 29, 1861

Montana SJR 1 (1911)

37

Joint Resolution Relative to the Election of United States Senators by Popular Vote.

WHEREAS, a large number of State Legislatures have, at various times, adopted memorials and resolutions in favor of electing United⁴ Senators by the direct vote of the people of the respective States, and

WHEREAS, a large number of State Legislatures have created Senatorial Direct Election Commissions, therefore

BE IT RESOLVED by the General Assembly of the State of Montana,

Section 1. That the Legislature of the State of Montana, in accordance with the provisions of Act⁵ V of the Constitution of the United States, desires to join with the other States of the Union, and respectfully request that a convention of the several states be called for the purpose of proposing amendments to the Constitution of the United States, and hereby apply to and request the Congress of the United States to call such convention and to provide for the submitting to the several states the amendments so proposed for ratification by the legislatures thereof, or by convention therein, as one or the other mode of ratification may be proposed by the Congress.

Section 2. That at the said convention, the State of Montana, will propose, among other amendments, that Section 3 of Article I, of the Constitution of the United States. should be amended, so that the Senators from each state shall be chosen by the electors thereof, as the Governor is now chosen.

Section 3. A Legislative Commission is hereby created to be composed of the Governor and four members to be appointed by him, not more than two of whom shall belong to the same political party, to be known as the Senatorial Direct Election Commission of the State of Montana. It shall be the duty of the said Legislative Commission to urge action by the Legislatures of the several states, and by the Congress of the United States, to the end that a convention may be called, as provided in section I hereof. That the members of said commission shall receive no compensation.

Section 4. That the Governor of the State of Montana is hereby directed to transmit certified copies of this Joint Resolution and Application to both Houses of the United States Congress, to the Governor of each State in the Union, to the Honorable Representatives and Senators in Congress from Montana, who are hereby requested and urged to aid, by their influence and vote to the end that the United States Senators shall be elected by popular vote.

Approved February 2, 1911.

⁴ The word "States" is missing in the certified copy from the State Session Laws.

⁵ Should read "Article" rather than "Act." Error in the certified copy from the State Session Laws.

North Dakota SCR 4018 (1975)

38

BALANCED FEDERAL BUDGET AMENDMENT

A concurrent resolution of the North Dakota Legislature calling for an amendment to the U.S. Constitution proposing to the several states the requirements of a balanced U.S. cash budget for each session of Congress except in time of war or national emergency.

BE IT RESOLVED BY THE SENATE OF THE STATE OF NORTH DAKOTA, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN:

That we respectfully propose an amendment to the Constitution of the United States and call upon the people of the several states for a convention for such purpose as provided by Article V of the Constitution, the proposed Article providing as follows:

ARTICLE ____

SECTION 1. The president shall submit, at the beginning of each new Congress, an annual budget for the ensuing fiscal year setting forth in detail the total proposed expenditures and the total estimated revenue of the Federal Government from sources other than borrowing. The president may set new revenue estimates from time to time. Expenditures for each two-year period shall not exceed the estimated revenue except in time of war or a national emergency declared by the Congress. The provisions of this Article shall not apply to the refinancing of the national debt; and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded by the Secretary of State to the legislature of the several states.

Filed March 11, 1975

Mississippi HCR 51 (1975)

39

A CONCURRENT RESOLUTION APPLYING TO THE CONGRESS FOR A CONVENTION TO PROPOSE AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES.

WHEREAS, an ever-increasing public debt is inimical to the general welfare of the people of the United States; and

WHEREAS, the national debt is already dangerously high and any further increases will be harmful and costly to the people of the United States; and

WHEREAS, a continuous program of deficit financing by the Federal Government is one of the greatest factors supporting the inflationary conditions presently existing in this country and therefore has been the chief factor in reducing the value of the American currency; and

WHEREAS, payment of the increased interest required by the ever-increasing debt would impose an undue hardship on those with fixed incomes and those in lower income brackets; and

WHEREAS, it is not in the best interest of either this or future generations to continue such a practice of deficit spending particularly since this would possibly deplete our supply of national resources for future generations; and

WHEREAS, by constantly increasing deficit financing the Federal Government has been allowed to allocate considerable funds to wasteful and in many instances nonbeneficial public programs; and

WHEREAS, by limiting the Federal Government to spend only the revenues that are estimated will be collected in a given fiscal year, except for certain specified emergencies, this could possibly result in greater selectivity of Federal Government programs of the benefit of the public and which would depend upon the willingness of the public to pay additional taxes to finance such programs; and

WHEREAS, there is provision in Article V of the Constitution of the United States for amending the Constitution by the Congress, on the application of the legislatures of two-thirds (2/3) of the several states, calling a convention for proposing amendments which shall be valid to all intents and purposes when ratified by the legislatures of three-fourths (3/4) of the several states, or by conventions in three-fourths (3/4) thereof, as the one or the other mode of ratification may be proposed by the Congress:

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF MISSISSIPPI, THE SENATE CONCURRING THEREIN, That we do hereby, pursuant to Article V of the Constitution of the United States, make application to the Congress of the United States to call a convention of the several states for the proposing of the following amendment to the Constitution of the United States:

"Article _____

SECTION 1. Except as provided in Section 3, the Congress shall make no appropriation for any fiscal year if the resulting total of appropriations for such fiscal year would exceed the total revenues of the United States for such fiscal year.

SECTION 2. There shall be no increase in the national debt and such debt, as it exists on the date on which this article is ratified, shall be repaid during the one-hundred-year period beginning with the first fiscal year which begins after the date on which this article is ratified. The rate of repayment shall be such that one-tenth (1/10) of such debt shall be repaid during each ten-year interval of such one-hundred-year period.

SECTION 3. In time of war or national emergency, as declared by the Congress, the application of Section 1 or Section 2 of this article, or both such sections, may be suspended by a concurrent resolution which has passed the Senate and the House of Representatives by an affirmative vote of three-fourths (3/4) of the authorized membership of each such house. Such suspension shall not be effective past the two-year term of the Congress which passes such resolution, and if war or an emergency continues to exist such suspension, must be reenacted in the same manner as provided herein.

SECTION 4. This article shall apply only with respect to fiscal years which begin more than, six (6) months after the date on which this article is ratified."

BE IT FURTHER RESOLVED, That this application by the Legislature of the State of Mississippi constitutes a continuing application in accordance with Article V of the Constitution of the United States until at least two-thirds (2/3) of the legislatures of the several states have made similar applications pursuant to Article V, but if Congress proposes an amendment to the Constitution identical with that contained in this resolution before January 1, 1976, this application for a convention of the several states shall no longer be of any force or effect.

BE IT FURTHER RESOLVED, That a duly attested copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States; the Clerk of the House of Representatives of the United States; to each member of the Congress from this state; and to each house of each state legislature in the United States.

ADOPTED BY THE HOUSE OF REPRESENTATIVES

February 25, 1979

C B Newman

SPEAKER PRO TEMPORE HOUSE OF REPRESENTATIVES

Attest: Frances Hicks (Clerk)

ADOPTED BY THE SENATE

March 20, 1975

William F. Winter

PRESIDENT OF THE SENATE

Delaware HCR 36 (1975)

40

APPLYING TO THE CONGRESS FOR A CONVENTION TO PROPOSE AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES

BE IT RESOLVED by the House of Representatives of the 128th General Assembly, the Senate concurring therein, that the General Assembly of the State of Delaware hereby, and pursuant to Article V of the Constitution of the United States, makes application to the Congress of the United States to call a convention for the proposing of the following amendment to the Constitution of the United States:

“ARTICLE _____

The costs of operating the Federal Government shall not exceed its income during any fiscal year, except in the event of declared war.”

BE IT FURTHER RESOLVED that this application by the General Assembly of the State of Delaware constitutes a continuing application in accordance with Article V of the Constitution of the United States until at least two-thirds of the legislatures of the several states have made similar applications pursuant to Article V.

BE IT YET FURTHER RESOLVED that since this method of proposing amendments to the Constitution has never been completed to the point of calling a convention and no interpretation of the power of the states in the exercise of this right has ever been made by any court or any qualified tribunal, if there be such, and since the exercise of the power is a matter of basic sovereign rights and the interpretation thereof is primarily in the sovereign government making such exercise and since the power to use such right in full also carries the power to use such right in part, the General Assembly of the State of Delaware interprets Article V to mean that if two-thirds of the states make application for a convention to propose an identical amendment to the Constitution for ratification with a limitation that such amendment be the only matter before it, that such convention would have power only to propose the specified amendment and would be limited to such proposal and would not have power to vary the text thereof nor would it have power to propose other amendments on the same or different propositions.

BE IT YET FURTHER RESOLVED that a duly attested copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, to each member of the Congress from this State and to each House of each State Legislature in the United States.

SIGNED BY THE GOVERNOR

Jun 23 1975

Michigan ESJR V (2014)

41

A JOINT RESOLUTION to petition the congress of the United States to call a convention to propose amendments to the constitution of the United States to require a balanced federal budget.

Resolved by the Senate and House of Representatives of the state of Michigan, That pursuant to article V of the constitution of the United States, the legislature of the state of Michigan petitions the congress of the United States of America, at its session, to call a convention of the states limited to proposing an amendment to the constitution of the United States requiring that in the absence of a national emergency, including, but not limited to, an attack by a foreign nation or terrorist organization within the United States of America, 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, together with any related and appropriate fiscal restraints.

Resolved further, That this application is to be considered as covering the balanced budget amendment language of the presently outstanding balanced budget applications from other states, including, but not limited to, previously adopted applications from Alabama, Alaska, Arkansas, Colorado, Florida, Indiana, Iowa, Kansas, Mississippi, Missouri, Nebraska, Nevada, New Hampshire, New Mexico, North Carolina, Pennsylvania, and Texas; and this application shall be aggregated with those applications for the purpose of attaining the two-thirds of states necessary to require the calling of a convention for proposing a balanced budget amendment, but shall not be aggregated with any applications on any other subject.

Resolved further, That this application constitutes a continuing application in accordance with article V of the constitution of the United States until the legislatures of at least two-thirds of the several states have made applications on the same subject. It supersedes all previous applications by this legislature on the same subject.

Resolved further, That certified copies of this joint resolution be transmitted by the secretary of state to the president of the United States Senate, to the speaker of the United States House of Representatives, and to each member of this state's delegation to the congress and that printed copies be sent to each house of each state legislature in the United States.

I hereby certify that on the twenty-sixth day of March, two thousand fourteen, the foregoing joint resolution was agreed to by the Senate, by a majority vote of the Senators elected and serving.

Carol Mory Vivint
Secretary of the Senate

I hereby certify that on the twentieth day of March, two thousand fourteen, the foregoing joint resolution was agreed to by the House of Representatives, by a majority vote of the Representatives elected and serving.

Gary L. Randall
Clerk of the House of Representatives

West Virginia HCR 36 (2016)

42

Applying for an Article V Amendments Convention to Propose a Constitutional Amendment permitting a calling of a convention of the states limited to proposing an amendment to the Constitution of the United States requiring that in the absence of a national emergency 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 together with any related and appropriate fiscal restraints.

Whereas, Article V of the Constitution of the United States provides authority for a Convention to be called by the Congress of the United States for the purpose of proposing amendments to the Constitution upon application of two thirds of the Legislatures of the several states ("amendments convention"); and

Whereas, This application is to be considered as covering the same subject matter as the presently outstanding balanced budget applications from other states, including, but not limited to, previously adopted applications from Alabama, Alaska, Arkansas, Colorado, Delaware, Florida, Georgia, Indiana, Iowa, Kansas, Louisiana, Maryland, Michigan, Mississippi, Missouri, Nebraska, Nevada, North Dakota, New Hampshire, New Mexico, Nevada, North Carolina, Ohio, Pennsylvania, South Dakota, Texas and Utah, and this application shall be aggregated with same for the purpose of attaining the two thirds of states necessary to require the calling of a convention, but shall not be aggregated with any applications on any other subject; and

Whereas, This application constitutes a continuing application in accordance with Article V of the Constitution of the United States until the Legislatures of at least two thirds of the several states have made applications on the same subject and supersedes all previous applications by this Legislature on the same subject; therefore, be it

Resolved by the Legislature of West Virginia:

That as provided in Article V of the Constitution of the United States the Legislature of the State of West Virginia herewith respectfully applies for an Amendments Convention to Propose a Constitutional Amendment limited to proposing an amendment to the Constitution of the United States requiring that in the absence of a national emergency 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 together with any related and appropriate fiscal restraints; and, be it

Further Resolved, That the amendments convention contemplated by this application shall be entirely focused upon and exclusively limited to the subject matter of proposing for ratification an amendment to the Constitution providing that in the absence of a national emergency 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 together with any related and appropriate fiscal restraints; and, be it

Further Resolved, That this application constitutes a continuing application in accordance with Article V of the Constitution of the United States until at least two thirds of the Legislatures of the several states have made application for an equivalently limited amendments convention; and, be it

Further Resolved, That the Clerk of the House of Delegates forward certified copies of this resolution to the President and Secretary of the United States Senate, to the Speaker and Secretary of the United States House of Representatives, the members of the West Virginia Congressional Delegation, and to the presiding officers of each house of the several State Legislatures, requesting their cooperation in applying for the amendments convention limited to the subject matter contemplated by this application.

Adopted by the House of Delegates 3/11/2016

Adopted by the Senate 3/12/2016