

Representative Kraig Powell proposes the following substitute bill:

JOINT RESOLUTION PROPOSING A BALANCED BUDGET

AMENDMENT TO THE UNITED STATES CONSTITUTION

2014 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kraig Powell

Senate Sponsor: _____

Cosponsors:	David E. Lifferth	Douglas V. Sagers
Rebecca D. Lockhart	Mike K. McKell	Jon E. Stanard
Ken Ivory	Dixon M. Pitcher	

LONG TITLE

General Description:

This joint resolution of the Legislature calls for an Article V convention to propose a balanced budget amendment to the United States Constitution.

Highlighted Provisions:

This resolution:

- ▶ applies to Congress for the calling of a convention of the states, limited to proposing an amendment to the United States Constitution requiring that, in the absence of a national emergency, the total of all federal appropriations made by Congress for a specified period not exceed the total of all estimated federal revenues for that period, together with any related and appropriate fiscal restraints;
- ▶ requests that this application be considered as covering the same subject matter as the presently outstanding balanced budget applications from other states;
- ▶ requests that this application be aggregated with the outstanding balanced budget



25 applications from the other states for the purpose of attaining the two-thirds of states necessary
26 to require the calling of a convention, but not be aggregated with any applications on any other
27 subject;

28 ▶ intends that the application made in this resolution constitute a continuing
29 application, in accordance with Article V of the United States Constitution, until the
30 legislatures of at least two-thirds of the several states have made applications on the
31 same subject; and

32 ▶ intends that this application supersede all previous applications by the Legislature of
33 the state of Utah on the same subject.

34 **Special Clauses:**

35 None



37 *Be it resolved by the Legislature of the state of Utah:*

38 WHEREAS, under Article V of the Constitution of the United States, "The Congress,
39 whenever two thirds of both houses shall deem it necessary, shall propose amendments to this
40 Constitution, or, on the application of the legislatures of two thirds of the several states, shall
41 call a convention for proposing amendments, which, in either case, shall be valid to all intents
42 and purposes, as part of this Constitution, when ratified by the legislatures of three fourths of
43 the several states, or by conventions in three fourths thereof"; and

44 WHEREAS, the Legislature of the state of Utah has determined that calling for a
45 balanced budget amendment to the United States Constitution is in the best interest of the
46 citizens of Utah and the citizens of the United States of America:

47 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, by
48 this resolution, and under the provisions of Article V of the United States Constitution, applies
49 to Congress for the calling of a convention of the states limited to proposing an amendment to
50 the Constitution of the United States requiring that, in the absence of a national emergency, the
51 total of all federal appropriations made by Congress for a specified period may not exceed the
52 total of all estimated federal revenues for that period, together with any related and appropriate
53 fiscal restraints.

54 BE IT FURTHER RESOLVED that the Legislature of the state of Utah respectfully
55 requests that this application be considered as covering the same subject matter as the presently

56 outstanding balanced budget applications from other states, including, but not limited to,
57 previously adopted applications from Alabama, Alaska, Arkansas, Colorado, Delaware,
58 Florida, Georgia, Indiana, Iowa, Kansas, Maryland, Mississippi, Missouri, Nebraska, Nevada,
59 New Hampshire, New Mexico, North Carolina, Ohio, Pennsylvania, and Texas.

60 BE IT FURTHER RESOLVED that the Legislature of the state of Utah respectfully
61 requests that this application be aggregated with the applications from those states for the
62 purpose of attaining the two-thirds of states necessary to require the calling of a convention, but
63 not be aggregated with any applications on any other subject.

64 BE IT FURTHER RESOLVED that the Legislature of the state of Utah intends that this
65 application constitute a continuing application in accordance with Article V of the Constitution
66 of the United States until the legislatures of at least two-thirds of the several states have made
67 applications on the same subject; provided, however, that the Legislature retains the authority
68 to rescind this resolution and thereby cancel this application at any time for any reason.

69 BE IT FURTHER RESOLVED that the Legislature of the state of Utah intends that
70 once the convention of the states applied for herein has been convened, the Legislature retains
71 full authority, at its sole discretion, to immediately rescind and thereby cancel this application
72 for convention if the convention moves to consider or propose any amendment or change to the
73 United States Constitution other than the amendment identified in this resolution.

74 BE IT FURTHER RESOLVED that the Legislature of the state of Utah intends that this
75 application supersede all previous applications by the Legislature on the same subject.

76 BE IT FURTHER RESOLVED that copies of this resolution be sent to the Vice
77 President of the United States, as President of the United States Senate, and to the Majority
78 Leader of the United States Senate, the Speaker of the United States House of Representatives,
79 and the members of Utah's congressional delegation.