

Representative Kraig Powell proposes the following substitute bill:

**JOINT RESOLUTION CALLING FOR A BALANCED
BUDGET AMENDMENT TO THE U.S. CONSTITUTION**

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kraig Powell

Senate Sponsor: Curtis S. Bramble

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|----|-----------------------|-------------------|--------------------|
| 7 | Cosponsors: | Justin L. Fawson | Jeremy A. Peterson |
| 8 | Jacob L. Anderegg | Brian M. Greene | Dixon M. Pitcher |
| 9 | Stewart Barlow | Stephen G. Handy | Paul Ray |
| 10 | Melvin R. Brown | Timothy D. Hawkes | Scott D. Sandall |
| 11 | Scott H. Chew | Gregory H. Hughes | Mike Schultz |
| 12 | Kay J. Christofferson | Ken Ivory | V. Lowry Snow |
| 13 | Kim Coleman | John Knotwell | Jon E. Stanard |
| 14 | Bruce R. Cutler | Bradley G. Last | John R. Westwood |
| 15 | Rebecca P. Edwards | David E. Lifferth | Brad R. Wilson |
| 16 | Steve Eliason | Merrill F. Nelson | |

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



25 an amendment to the United States Constitution requiring that, in the absence of a national
26 emergency, the total of all federal appropriations made by Congress for a specified period not
27 exceed the total of all estimated federal revenues for that period, together with any related and
28 appropriate fiscal restraints;

29 ▶ requests that this application be considered as covering the same subject matter as
30 the presently outstanding balanced budget applications from other states;

31 ▶ requests that this application be aggregated with the outstanding balanced budget
32 applications from the other states for the purpose of attaining the two-thirds of states
33 necessary to require the calling of a convention, but not be aggregated with any
34 applications on any other subject;

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

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

41 **Special Clauses:**

42 None



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

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

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

54 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, by
55 this resolution, and under the provisions of Article V of the United States Constitution, applies

56 to Congress for the calling of a convention of the states limited to proposing an amendment to
57 the Constitution of the United States requiring that, in the absence of a national emergency, the
58 total of all federal appropriations made by Congress for a specified period may not exceed the
59 total of all estimated federal revenues for that period, together with any related and appropriate
60 fiscal restraints.

61 BE IT FURTHER RESOLVED, it is the intent of the Legislature of the state of Utah
62 that the delegates to such convention are prohibited from considering any other amendment or
63 change to the Constitution of the United States.

64 BE IT FURTHER RESOLVED that the Legislature of the state of Utah respectfully
65 requests that this application be considered as covering the same subject matter as the presently
66 outstanding balanced budget applications from other states, including, but not limited to,
67 previously adopted applications from Alabama, Alaska, Arkansas, Colorado, Delaware,
68 Florida, Georgia, Indiana, Iowa, Kansas, Louisiana, Maryland, Michigan, Mississippi,
69 Missouri, Nebraska, Nevada, New Hampshire, New Mexico, North Carolina, Ohio,
70 Pennsylvania, Tennessee, and Texas.

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

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

80 BE IT FURTHER RESOLVED that the Legislature of the state of Utah intends that
81 once the convention of the states applied for herein has been convened, the Legislature retains
82 full authority, at its sole discretion, to immediately rescind and thereby cancel this application
83 for convention, for any reason, including but not limited to, if the convention moves to
84 consider or propose any amendment or change to the United States Constitution other than the
85 amendment identified in this resolution.

86 BE IT FURTHER RESOLVED that the Legislature of the state of Utah intends that this

87 application supersede all previous applications by the Legislature on the same subject.

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