

**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

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	

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**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.