

## A CONCURRENT RESOLUTION

1 Rescinding the request to the Congress of the United States that  
2 it call a Constitutional Convention to propose an amendment  
3 to the Constitution to balance the public debt.

4 WHEREAS, Under Article V of the Constitution of the United  
5 States, amendments to the Federal Constitution may be proposed  
6 by the Congress whenever two-thirds of both Houses deem it  
7 necessary, or on the application of the Legislatures of two-  
8 thirds of the several states, the Congress shall call a  
9 Constitutional Convention for the purpose of proposing  
10 amendments; and

11 WHEREAS, By House Resolution No. 236, adopted by the House of  
12 Representatives on June 30, 1976, and adopted by the Senate on  
13 November 9, 1976, the General Assembly of the Commonwealth of  
14 Pennsylvania requested the Congress of the United States to  
15 prepare and submit to the several states an amendment to the  
16 Constitution of the United States requiring, in the absence of a  
17 national emergency, that the total of all Federal appropriations

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

7 WHEREAS, Numerous bills have been introduced in Congress  
8 calling for an amendment to the Constitution requiring a  
9 balanced budget, but none of these bills have been favorably  
10 acted upon; and

11 WHEREAS, Less than the required number of 34 states have,  
12 through their Legislatures, made application to the Congress for  
13 the calling of a Constitutional Convention to propose an  
14 amendment to the Constitution; and

15 WHEREAS, There has been no such Constitutional Convention  
16 since the Founding Fathers met to draft the Constitution in  
17 1787, all amendments added since then having originated in  
18 Congress and then having been ratified by the states; and

19 WHEREAS, One reason for the failure of the "state application  
20 for a convention" option is the ambiguity of Article V of the  
21 Constitution, in that it does not speak to how the "application"  
22 process occurs, nor does it specify the processes to be followed  
23 at the convention for proposing amendments, such as the method  
24 for selection of delegates, the voting procedures and the number  
25 of votes needed to propose a specific amendment, nor does  
26 Article V indicate whether the convention must limit itself to  
27 matters mentioned in the states' applications, or whether a  
28 "runaway convention" could seek to remake the Constitution anew  
29 after being called to consider only a single subject; and

30 WHEREAS, While the need for an amendment to the United States

1 Constitution mandating a balanced budget continues, the state  
2 application process should not be pursued, in that a review of  
3 the 30-odd applications from states calling for a convention  
4 shows no uniformity, and discloses an array of contingencies,  
5 inconsistencies and conditional clauses on their face, and  
6 questions have been raised as to whether proper legislative  
7 procedure was followed in their adoption; and foremost, the  
8 question remains as to how far-reaching any such convention  
9 might be; therefore be it

10       RESOLVED (the Senate concurring), That the General Assembly  
11 of the Commonwealth of Pennsylvania rescind its application and  
12 request to the Congress of the United States to call a  
13 Constitutional Convention for the specific and exclusive purpose  
14 of proposing an amendment to the Federal Constitution requiring,  
15 in the absence of a national emergency, that the total of all  
16 Federal appropriations made by the Congress for any fiscal year  
17 may not exceed the total of all estimated Federal revenues for  
18 that fiscal year; and be it further

19       RESOLVED, That the General Assembly of the Commonwealth of  
20 Pennsylvania continue and renew its request to Congress to  
21 prepare and submit to the several states such an amendment to  
22 the Constitution of the United States in the same manner as all  
23 existing amendments have originated; and be it further

24       RESOLVED, That copies of this resolution be sent to the  
25 members of the Congress from Pennsylvania, the Clerk of the  
26 United States House of Representatives, Washington, DC, and the  
27 Secretary of the United States Senate, Washington, DC, with the  
28 request that this action by the General Assembly of the  
29 Commonwealth of Pennsylvania be promptly published in the  
30 Congressional Record.