

DRAFT CONCURRENT RESOLUTION

Congress Calls an Article V Convention of States for Proposing Amendment(s) and
Stipulates Ratification by State Conventions, a Vote of We the People

This concurrent resolution:

- Requires that Congress set the date in 2022 and place for an Article V Convention for proposing amendments.
- Acknowledges that at least “*two thirds (34) of the several states*” have passed Applications that encompass imposing fiscal restraints on the federal government, and
- Stipulates that any proposed amendment(s) be ratified by state conventions, ensuring a vote of We the People.

WHEREAS, Article V of the United States Constitution states that: “*The Congress...on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments ...*” to the United States Constitution;

WHEREAS, In 1979, the Legislature of the State of Nevada passed the 34th Article V Application for the purpose of imposing fiscal restraints upon the federal government stating:

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

Whereas, Payment of the increased interest on this ever-expanding debt imposes a tremendous burden on the taxpayers of this country; and

Whereas, Continuous deficit financing by the Federal Government supports inflationary conditions which adversely affect the national economy and all Americans, particularly those persons with fixed or low income; and

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Whereas, Constantly increasing use of deficit financing has enabled the Federal Government to allocate considerable sums to programs which in many instances have proved to be wasteful and nonbeneficial to the public; and

Whereas, Limiting federal expenditures in each fiscal year to revenues available in that year, except during national emergencies, will result in greater selectivity of federal programs for the benefit of the public; and

Whereas, The annual federal budgets continually reflect the unwillingness or inability of both the legislative and executive branches of the Federal Government to balance the budget and demonstrate the necessity for a constitutional restraint upon deficit financing; and

Whereas, Under Article V of the Constitution of the United States, the Congress is required to call a Convention for proposing amendments to the federal Constitution on the application of the legislatures of two-thirds of the several states; now, therefore, be it

Resolved by the Senate and Assembly of the State of Nevada, jointly, That, pursuant to Article V of the Constitution of the United States, the legislature of the State of Nevada hereby makes application to the Congress of the United States to call a Convention for the purpose of proposing an amendment to the United States Constitution which would require that, in the absence of a national emergency, the total of the appropriation made by the Congress for each fiscal year may not exceed the total of the estimated federal revenues for that year;”

WHEREAS, Congress failed to comply with its constitutional mandate to "call a Convention for proposing Amendments ... on the Application of the Legislatures of two thirds of the several states" upon receipt of the Nevada Article V Application, published in the Congressional Record on February 8, 1979;

WHEREAS, By the end of 1979, the legislatures of the following 39 states had made application for either a plenary Article V Convention to propose amendments on any subject(s), or an Article V

67 Convention to propose the imposition of fiscal restraints on the federal government:

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	State	Year Passed	Subject	Citation	Additional BBA Applications Passed by 1979
1	Virginia (11/14/1788)	1788	Plenary	1 Annals of Cong. 258-59 (J. Gales, Sr. ed., 1834) (H.R., May 5, 1789)	1973: (HJR75) 119 Cong. Rec. 8091 1975: (SJR107) 121 Cong. Rec. 5793 1976: (SJR36) 122 Cong. Rec. 8335-36
2	New York	1789	Plenary	H.R. Jour., 1st Cong., 1st Sess., 29-30 (May 6, 1789)	
3	Georgia	1832	Plenary	S. Jour., 22nd Cong., 2nd sess., 65-66 (Jan. 9, 1833)	1976: (HR469-1267) 122 Cong. Rec. 2740
4	South Carolina (12/13/1832)	1832	Plenary	H.R. Jour. 22nd Cong., 2nd Sess. 219-20 (Jan. 21, 1833)	1976: (S.C. ACTS) 122 Cong. Rec. 4329 1979: (S1024) 125 Cong. Rec. 2114
5	Illinois	1861	Plenary	Ill. Laws 281-82	
6	Indiana (3/11/1861)	1861	Plenary	Cong. Globe, 37th Cong., Special Session 1465-66 (S., March 18, 1861)	1957: (HECR9) 103 Cong. Rec. 6475-76 1976: 122 Cong. Rec. 931 1979: (SEJR8) 125 Cong. Rec. 9188
7	Kentucky (RES1)	1861	Plenary	Cong. Globe, 36th Cong., 2nd Sess. 751, (S., Feb. 5, 1861)	
8	Ohio	1861	Plenary	Ohio Laws 181	
9	New Jersey	1861	Plenary	Cong. Globe, 36th Cong. 2nd Sess. 680 (S., Feb. 1, 1861)	
10	Texas (SCR4)	1899	Plenary	33 cong. Rec.219 (1899)	1979:(HCR31) 125 Cong. Rec. 5223-24
11	Colorado (SB13)	1901	Plenary	45 cong. Rec. 7113 (1910)	1978: (SJM1) 124 Cong. Rec. 8778

	State	Year Passed	Subject	Citation	Additional BBA Applications Passed by 1979
12	Oregon (HJR4)	1901	Plenary	34 Cong. Rec. 2290 (1901)	1979: (SJM2) 125 Cong. Rec. 5953
13	Washington (HB90)	1901	Plenary	1901 Wash. Laws 333	
14	Iowa (3/24/1904)	1904	Plenary	38 Cong. Rec. 4959 (1904)	1979: (SJR1) 125 Cong. Rec. 15,227
15	Kansas (HCR4)	1907	Plenary	41 Cong. Rec. 2929 (1907)	1979: (SCR1661) 125 Cong. Rec. 2110
16	Missouri (3/6/1907)	1907	Plenary	45 Cong. Rec. 7116 (1910)	
17	Nebraska	1907	Plenary	1907 Neb. Laws 583-84	1979: (LR106) 125 Cong. Rec. 2112
18	North Carolina	1907	Plenary	45 Cong. Rec. 7117 (1910)	1979: (SJR1) 125 Cong. Rec. 3310-11
19	Oklahoma (SJR9)	1908	Plenary	45 Cong. Rec. 7117-18 (1910)	1978: (HJR1049) 124 Cong. Rec. 12, 397
20	Montana SJR1	1911	Plenary	46 Cong. Rec. 2411 (1911)	
21	Wisconsin (JR15S)	1911	Plenary	47 Cong. Rec. 1873 (1911)	
22	Wyoming (EJR4)	1961	Balanced Budget	107 Cong. Rec. 2759 (1961)	1978: (EJR1) 124 Cong. Rec. 14056
23	Alabama (HJR105)	1975	Balanced Budget	121 Cong. Rec. 28,347 (1975)	1979:(HJR227) 125 Cong. Rec. 2108-09
24	Louisiana (SCR109)	1975	Balanced Budget	121 Cong. Rec. 25, 312 (1975)	1979: (SCR4) 125 Cong. Rec. 19,470-71 1979: (SCR73) 125 Cong. Rec. 2110-11

	State	Year Passed	Subject	Citation	Additional BBA Applications Passed by 1979
25	Mississippi (HCR51)	1975	Balanced Budget	121 Cong. Rec. 12, 175-76 (1975)	1979: (HCR51) 125 Cong. Rec. 2111-12
26	Delaware (HCR36)	1976	Balanced Budget	122 Cong. Rec. 4329 (1976)	
27	Florida (SM234)	1976	Balanced Budget	125 Cong. Rec. 2109-10 (1979)	
28	Pennsylvania (R236)	1976	Balanced Budget	125 Cong. Rec. 2113-14 (1979)	
29	Arizona (HCM2003)	1977	Balanced Budget	123 Cong. Rec. 18,873-74 (1977)	1979: (HCM2320) 125 Cong. Rec. 2109 1979: (SJR1002) 125 Cong. Rec. 7920-21
30	Maryland (SJR4)	1977	Balanced Budget	123 Cong. Rec. 2545-46 (1977)	
31	Tennessee (HJR22)	1977	Balanced Budget	123 Cong. Rec. 18,419 (1977)	1978: (HJR22) 124 Cong. Rec. 11,437-38
32	Arkansas (HJR1)	1979	Balanced Budget	125 Cong. Rec. 4372 (1979)	
33	Idaho (HCR7)	1979	Balanced Budget	125 Cong. Rec. 3657 (1979)	
34	Nevada (SJR22)	1979	Balanced Budget	125 Cong. Rec. 2112 (1979)	
35	New Hampshire (HCR8)	1979	Balanced Budget	125 Cong. Rec. 11,584 (1979)	
36	New Mexico (SJR)	1979	Balanced Budget	125 Cong. Rec. 2112-13 (1979)	
37	North Dakota (SCR4018)	1979	Balanced Budget	125 Cong. Rec. 2113 (1979)	

	State	Year Passed	Subject	Citation	Additional BBA Applications Passed by 1979
38	South Dakota (JR)	1979	Balanced Budget	<u>125 Cong. Rec. 3656-57 (1979)</u>	
39	Utah	1979	Balanced Budget	<u>125 Cong. Rec. 4372-73 (1979)</u>	

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70 WHEREAS, as many as 42 states have submitted related applications, and starting in 1979, at
71 least 34 states had active applications calling for a convention for proposing amendment(s) related to
72 imposing fiscal restraints on the federal government.

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74 WHEREAS, Alexander Hamilton in Federalist 85 stated that "The Congress 'shall call a
75 convention.' Nothing in this particular is left to the discretion of that body";

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77 WHEREAS, From February 8, 1979, when Congress unconstitutionally failed to call a
78 Convention, the nation's debt has increased by more than \$29 trillion (from \$830 billion), while the value
79 of the dollar has declined by over 70%;

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81 WHEREAS, The United States Constitution was ratified by Convention Delegates "*chosen in*
82 *each State by the People thereof,*" and the 21st Amendment, repealing Prohibition, was ratified in 1933 by
83 a vote of the people for YES-pledged Delegates in 38 of 39 state conventions;

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85 WHEREAS, The United States Supreme Court's unanimous opinion in CHIAFALO v.
86 WASHINGTON stated: "*electors ... have no ground for reversing the vote of millions of its citizens. That*
87 *direction accords with the Constitution—as well as with the trust of the Nation that here, **We the People***
88 *rule.*"

89 NOW, THEREFORE, BE IT RESOLVED That the Congress of the United States hereby calls an
90 Article V Convention for Proposing Amendment(s) by setting the place and the date in 2022.

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92 BE IT FURTHER RESOLVED That any proposed amendment(s) be ratified by a vote of We the
93 People in three-quarters (38) of the states via state convention delegates who shall "*have no ground for*
94 *reversing the vote of millions of [their] citizens*" (CHIAFALO v. WASHINGTON).

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96 BE IT FURTHER RESOLVED That a copy of this concurrent resolution be transmitted to the
97 Administrator of General Services for submission to the legislatures of the several states.

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