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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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# HOUSE RESOLUTION

No. 132      Session of  
1993

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INTRODUCED BY CLYMER, KUKOVICH, PHILLIPS, ROHRER, HECKLER,  
YANDRISEVITS, BUNT, E. Z. TAYLOR AND DRUCE, JUNE 21, 1993

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REFERRED TO COMMITTEE ON FEDERAL-STATE RELATIONS, JUNE 21, 1993

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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  
18 made by Congress for any fiscal year may not exceed the total of

1 all estimated Federal revenues for that fiscal year, or  
2 alternatively, the General Assembly made application and  
3 requested the Congress of the United States to call a  
4 Constitutional Convention for the purpose of proposing such an  
5 amendment to the Federal Constitution; and

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

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

14 WHEREAS, There has been no such Constitutional Convention  
15 since the Founding Fathers met to draft the Constitution nearly  
16 200 years ago, all amendments added since then having originated  
17 in Congress and then having been ratified by the states; and

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

29 WHEREAS, While the need for an amendment to the United States  
30 Constitution mandating a balanced budget continues, the state

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

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

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

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