

## A CONCURRENT RESOLUTION

1 Establishing a delegation to a convention for proposing a  
2 balanced budget amendment pursuant to Article V of the  
3 Constitution of the United States, for duties of the General  
4 Assembly and for an Article V Convention Committee.

5 WHEREAS, The General Assembly finds and declares as follows:

6 (1) The national debt and mounting deficits are an  
7 existential threat to the solvency, security and prosperity  
8 of the United States.

9 (2) The states, acting in convention, have equal  
10 authority and responsibility with the Congress of the United  
11 States under Article V of the Constitution of the United  
12 States to propose an amendment to the Constitution of the  
13 United States.

14 (3) A significant number of states have passed  
15 resolutions applying for a convention to propose a balanced  
16 budget amendment under Article V of the Constitution of the  
17 United States, rendering it appropriate for the Commonwealth  
18 to select and instruct commissioners to a convention called

1 on or before December 31, 2018; therefore be it

2 RESOLVED (the Senate concurring), That the General Assembly  
3 establish a delegation to a convention for proposing a balanced  
4 budget amendment; and be it further

5 RESOLVED, That if a convention for proposing a balanced  
6 budget amendment to the Constitution of the United States is  
7 called by the Congress of the United States under Article V of  
8 the Constitution of the United States on or before December 31,  
9 2018, the General Assembly shall send a delegation to the  
10 convention; and be it further

11 RESOLVED, That the delegation be comprised and function as  
12 follows:

13 (1) The delegation shall be comprised of seven  
14 commissioners and seven paired alternates. None of the  
15 commissioners or alternates may be an elected or appointed  
16 official of the Federal Government at the time of election or  
17 any time during the term as a commissioner or alternate.

18 (2) The delegation shall be selected as follows:

19 (i) On a day and time jointly determined by the  
20 President pro tempore of the Senate and the Speaker of  
21 the House of Representatives, each house shall meet to  
22 elect commissioners and alternates.

23 (ii) By a majority vote of the members attending,  
24 each body shall choose three commissioners and an equal  
25 number of paired alternates.

26 (iii) The President pro tempore of the Senate and  
27 the Speaker of the House of Representatives shall jointly  
28 choose one commissioner and one paired alternate.

29 (iv) The delegation shall be subject to all  
30 instructions and restrictions provided for in this

1 resolution.

2 (3) After the convention is convened, if a commissioner  
3 is not able to participate in the convention either  
4 permanently or temporarily, the commissioner's respective  
5 alternate shall replace the commissioner for the time the  
6 commissioner is unable to serve. If an alternate is not able  
7 to participate in the convention, the delegation shall choose  
8 a replacement from the remaining alternates.

9 (4) The delegation shall choose a presiding officer and  
10 organize in a manner it determines is appropriate.

11 (5) The delegation may represent the General Assembly at  
12 formal and informal planning sessions related to the  
13 convention, including the Nashville Balanced Budget Amendment  
14 Planning Convention that convenes in July of 2017, to conduct  
15 community meetings and hearings throughout this Commonwealth  
16 prior to the convention and to correspond with other state  
17 commissioners and delegations. The delegation and its members  
18 shall at all times adhere to the oath and instructions  
19 provided in this resolution.

20 (6) The term of office for the delegation shall end  
21 December 31, 2018, or upon the adjournment of a balanced  
22 budget convention, whichever is sooner.

23 (7) A member of a delegation knowing of a violation of  
24 the oath or other misbehavior by a commissioner shall report  
25 it to the Article V Convention Committee.

26 (8) Commissioners and alternates shall take the  
27 following oath of office prior to accepting their  
28 appointment:

29 I do solemnly swear or affirm that, to the best of my  
30 abilities, I will, as a commissioner (alternate

1 commissioner) to a convention for proposing a balanced  
2 budget amendment, uphold the Constitution and laws of the  
3 United States and the Commonwealth of Pennsylvania.

4 I will abide by my instructions from the General  
5 Assembly. I will not discuss or vote to allow  
6 consideration of or to approve an amendment proposed for  
7 ratification to the Constitution of the United States  
8 that is unrelated to the subject of a balanced budget  
9 amendment.

10 I will vote only for convention rules that provide that  
11 each state have one equal vote, that no state or  
12 commissioner shall be allowed to propose an amendment  
13 that is unrelated to balancing the Federal budget, and  
14 that all but procedural issues be resolved by a simple  
15 majority vote of the states voting on the issue. I  
16 acknowledge that any violation of this oath may result in  
17 my being recalled by the General Assembly or its  
18 authorized committee.

19 (9) Commissioners shall vote only for convention rules  
20 consistent with the following principles:

21 (i) The convention is convened under the authority  
22 granted to the state legislatures of the states by  
23 Article V of the Constitution of the United States.

24 (ii) The only participants at the convention are the  
25 states, represented by their respective delegations duly  
26 selected in a manner as their respective legislatures  
27 have determined.

28 (iii) The scope of the convention's authority is  
29 defined by applications adopted by at least two-thirds of  
30 the legislatures of the states, which authority is

1 limited to the subject of a balanced budget amendment.

2 The convention has no authority to propose or discuss an  
3 amendment on any other subject.

4 (iv) The convention shall provide for disciplining a  
5 commissioner or delegation for exceeding the scope of the  
6 convention's authority by raising subjects for discussion  
7 or debate that lie outside the convention's authority.

8 (v) The convention shall not infringe on the  
9 respective state legislatures' authority to instruct,  
10 discipline, recall and replace commissioners.

11 (vi) A quorum for all sessions of the convention and  
12 for all committee meetings shall be a majority of the  
13 states attending the convention or serving as members of  
14 the relevant committee.

15 (vii) All voting at the convention or in a committee  
16 shall be by state, with each state having one vote,  
17 without apportionment or division, and each state  
18 legislature shall determine the internal voting and  
19 quorum rules for casting the vote of its delegation.

20 (viii) A majority vote of the quorum shall prevail  
21 on all issues before the convention and in all committees  
22 for procedural votes that may require a supermajority.

23 (ix) An affirmative vote not greater than a majority  
24 of the states shall be necessary to propose an amendment;

25 and be it further

26 RESOLVED, That the General Assembly shall provide the  
27 delegation with necessary support staff and pay all reasonable  
28 costs of attending the convention and all planning meetings,  
29 community meetings and hearings, subject to available funding;  
30 and be it further

1 RESOLVED, That an Article V Convention Committee be  
2 established as follows:

3 (1) An Article V Convention Committee shall be formed  
4 and comprised of three individuals:

5 (i) One individual appointed by the President pro  
6 tempore of the Senate.

7 (ii) One individual appointed by the Speaker of the  
8 House of Representatives.

9 (iii) One individual appointed jointly by the  
10 President pro tempore of the Senate and the Speaker of  
11 the House of Representatives.

12 (2) No member of the General Assembly's Article V  
13 Convention Committee may be a member of the delegation.

14 (3) The duties of the Article V Convention committee  
15 shall include:

16 (i) Monitoring the delegation to determine if it is  
17 following legislative instructions and obeying convention  
18 rules.

19 (ii) Advising the delegation on the General  
20 Assembly's position on issues before the convention.

21 (iii) Disciplining a commissioner who violates the  
22 oath of office or instructions of the General Assembly or  
23 is otherwise guilty of malfeasance or nonfeasance, which  
24 includes recall from the convention or demotion to  
25 alternate delegate.

26 (iv) Replacing a recalled commissioner.

27 (v) Notifying the convention that a commissioner has  
28 been recalled or converted to or replaced with an  
29 alternate.