

By the Committee on Budget; and Senator Haridopolos

576-05027-11

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Senate Concurrent Resolution

A concurrent resolution urging Congress to call a convention for the purpose of proposing amendments to the Constitution of the United States to achieve and maintain a balanced federal budget.

WHEREAS, fiscal discipline and economic integrity have been core principles of American governance, and

WHEREAS, the American people have historically demanded the same prudent, responsible, and intellectually honest financial behavior from their elected representatives as ultimately compels individual behavior, and

WHEREAS, it is the firm conviction of the Legislature of the State of Florida that it is wrong to fund the prosperity of the present generation by robbing future Americans of their own, and

WHEREAS, mortgaging the birthright of our children and grandchildren is a dangerous departure from traditional American values which threatens to permanently undermine the strength of our nation, and

WHEREAS, in the 8 months between May 1, 2010, and December 31, 2010, the national debt grew by more than \$1 trillion, and as of April 1, 2011, the total public debt outstanding for the United States was \$14,251,174,516,308, and

WHEREAS, Congress has voted to raise the debt limit 10 times since 2001, and the United States Secretary of the Treasury has called on the Congress to immediately consider voting to raise it again, and

WHEREAS, our debt is owed increasingly to the governments

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30 of foreign nations, not to the citizens of the United States;
31 therefore, our wealth is transferred to others and will not be
32 available to supply the means for America's future growth and
33 prosperity, and

34 WHEREAS, this generation will bequeath to its children one
35 of the world's most indebted industrial democracies, and

36 WHEREAS, high federal deficits cause increasingly high
37 payments for debt interest in the future, make future borrowing
38 more costly, reduce investment activity, and thus reduce the
39 size of the future economy, and

40 WHEREAS, the people of Florida recognized the wisdom of
41 fiscal discipline and enshrined in its State Constitution the
42 requirement for a balanced budget to place a prudent limit on
43 the tendencies of government, and

44 WHEREAS, the Florida Legislature has made fiscally
45 responsible decisions, maintaining a balanced budget and saving
46 the citizens of this state from crippling deficits, massive debt
47 burdens, and bankruptcy, and

48 WHEREAS, we the Legislature of the State of Florida call
49 for the Constitution of the United States to be amended to
50 require the Federal Government to operate with fiscal
51 responsibility, common sense, and within the revenues granted to
52 it by the people, and

53 WHEREAS, the Federal Government has for too long relied on
54 revenue increases and borrowing against our future, rather than
55 on prudent spending decisions within the limits of current
56 revenues, and

57 WHEREAS, lasting resolution of this nation's budget deficit
58 will be achieved only by addressing the spending habits of our

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59 Federal Government, not by increasing the tax burden under which
60 our citizens already labor, and

61 WHEREAS, Article V of the Constitution of the United States
62 makes provision for amending the Constitution on the application
63 of the legislatures of two-thirds of the several states, calling
64 a convention for proposing amendments that shall be valid to all
65 intents and purposes if ratified by the legislatures of three-
66 fourths of the several states, or by conventions in three-
67 fourths thereof, as the one or the other mode of ratification
68 may be proposed by Congress, NOW, THEREFORE,

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70 Be It Resolved by the Senate of the State of Florida, the House
71 of Representatives Concurring:

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73 That the Legislature of the State of Florida, with all due
74 respect and great reluctance, does hereby make application to
75 the Congress of the United States pursuant to Article V of the
76 Constitution of the United States to call a convention for the
77 sole purpose of proposing an amendment to the Constitution of
78 the United States to achieve and maintain a balanced budget by,
79 among other things:

80 (1) Requiring that total outlays not exceed total receipts
81 for any fiscal year;

82 (2) Requiring the setting of a fiscal year total outlay
83 limit;

84 (3) Prohibiting increases in taxes or other revenue
85 sources;

86 (4) Providing that, for reasons other than war or military
87 conflict, the limits of this amendment may be waived by law for

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any fiscal year if approved by at least two-thirds of both houses of Congress;

(5) Allowing for provisions of the amendment to take effect within specified time periods;

(6) Providing for the waiver of the provisions of the amendment for any fiscal year in which a declaration of war is in effect or the United States is engaged in military conflict that causes an imminent and serious military threat to national security; and

(7) Allowing for congressional enforcement.

BE IT FURTHER RESOLVED that this concurrent resolution supersedes all previous memorials and concurrent resolutions applying to the Congress of the United States to call a convention for the purpose of proposing a balanced budget amendment to the Constitution of the United States, including Senate Memorial 234 and House Memorial 2801, both passed in 1976, and were superseded, revoked, and withdrawn in 1988 by Senate Memorial 302, and Senate Concurrent Resolution 10, passed in 2010, and that such previous memorials and resolutions are hereby revoked and withdrawn, nullified, and superseded to the same effect as if they had never been passed.

BE IT FURTHER RESOLVED that this concurrent resolution is revoked and withdrawn, nullified, and superseded to the same effect as if it had never been passed, and retroactive to the date of passage, if it is used for the purpose of calling a convention or used in support of conducting a convention to amend the Constitution of the United States for any purpose other than requiring a balanced federal budget.

BE IT FURTHER RESOLVED that a copy of this concurrent

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117 resolution be dispatched to the President of the United States
118 Senate, to the Speaker of the United States House of
119 Representatives, to each member of the Florida delegation to the
120 United States Congress, and to the presiding officers of each
121 house of the several state legislatures.