

PCB SAC 24-02

ORIGINAL

2024

1 House Concurrent Resolution

2 A concurrent resolution applying to the Congress of
3 the United States to call a constitutional convention
4 for the sole purpose of proposing an amendment to the
5 Constitution of the United States which would
6 authorize the President of the United States to
7 eliminate one or more items of appropriation while
8 approving other portions of a bill.
9

10 WHEREAS, despite various efforts to control the explosive
11 growth of federal spending, the President of the United States
12 has had insufficient authority with respect to the budgetary
13 process, and

14 WHEREAS, the federal budget has not been balanced for
15 decades and, as of 2024, the national debt has increased to more
16 than \$34 trillion, and

17 WHEREAS, presidents of both political parties have cited
18 the need for greater presidential involvement in administering
19 the budgetary affairs of the nation, including having the
20 ability to veto line items from the federal budget, and

21 WHEREAS, in 44 states, the governor has the constitutional
22 power to veto items of appropriation while approving other
23 portions of a bill, and

24 WHEREAS, this power has been described by political
 25 scholars as a highly desirable one, and one which has had a
 26 positive effect on the operation of government, and

27 WHEREAS, the Congress of the United States passed the Line
 28 Item Veto Act of 1996 to enable the president to control "pork
 29 barrel spending" in the federal budget, and

30 WHEREAS, while the Line Item Veto Act of 1996 was in
 31 effect, the president used this authority 82 times to veto line
 32 items from the federal budget, and

33 WHEREAS, in 1998, the Line Item Veto Act of 1996 was found
 34 to be unconstitutional by the United States Supreme Court, thus
 35 requiring enactment of an amendment to the Constitution of the
 36 United States in order for line item veto authorization to be
 37 implemented, and

38 WHEREAS, under Article V of the Constitution of the United
 39 States, on the application of the legislatures of two-thirds of
 40 the several states, Congress shall call a constitutional
 41 convention for the purpose of proposing amendments to the
 42 Constitution, NOW, THEREFORE,

43
 44 Be It Resolved by the House of Representatives of the State of
 45 Florida, the Senate Concurring:

46
 47 (1) That the Legislature of the State of Florida applies
 48 to Congress, under Article V of the Constitution of the United

49 States, to call a constitutional convention limited to proposing
50 an amendment to the Constitution which would authorize the
51 President of the United States to eliminate one or more items of
52 appropriation while approving other portions of a bill.

53 (2) That this application constitutes a continuing
54 application in accordance with Article V of the Constitution of
55 the United States until the legislatures of at least two-thirds
56 of the several states have made applications on the same
57 subject.

58 BE IT FURTHER RESOLVED that the Legislature of the State of
59 Florida also proposes that the legislatures of the several
60 states comprising the United States apply to Congress to call a
61 constitutional convention for proposing such an amendment to the
62 Constitution of the United States.

63 BE IT FURTHER RESOLVED that this concurrent resolution is
64 revoked and withdrawn, nullified, and superseded to the same
65 effect as if it had never been passed, and retroactive to the
66 date of passage, if it is used for the purpose of calling a
67 constitutional convention or used in support of conducting a
68 constitutional convention to amend the Constitution of the
69 United States with any agenda other than to propose an amendment
70 to the Constitution which would authorize the President of the
71 United States to eliminate one or more items of appropriation
72 while approving other portions of a bill.

73 | BE IT FURTHER RESOLVED that copies of this application be
74 | dispatched to the President of the United States, to the
75 | President of the United States Senate, to the Speaker of the
76 | United States House of Representatives, to each member of the
77 | Florida delegation to the United States Congress, and to the
78 | presiding officer of each house of the legislature of each
79 | state.