

# MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION  
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3 ONE HUNDRED AND TWELFTH LEGISLATURE  
4

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5 Legislative Document

No. 740

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7 H.P. 520

House of Representatives, February 27, 1985

8 Reference to the Committee on Appropriations and Financial Affairs  
9 suggested and ordered printed.

10 EDWIN H. PERT, Clerk

Presented by Representative Hepburn of Skowhegan.  
Cosponsored by Representative Higgins of Scarborough.

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12 STATE OF MAINE  
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14 IN THE YEAR OF OUR LORD  
15 NINETEEN HUNDRED AND EIGHTY-FIVE  
16

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17 JOINT RESOLUTION MAKING APPLICATION TO CONGRESS  
18 CALLING A CONSTITUTIONAL CONVENTION TO PROPOSE  
19 AN AMENDMENT TO THE FEDERAL CONSTITUTION  
20 TO REQUIRE A BALANCED FEDERAL BUDGET  
21

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22 WHEREAS, with each passing year this Nation be-  
23 comes more deeply in debt as its expenditures grossly  
24 and repeatedly exceed available revenues so that the  
25 public debt now exceeds hundreds of billions of dol-  
26 lars; and

27 WHEREAS, the annual federal budget continually  
28 demonstrates an unwillingness or inability of both  
29 the legislative and executive branches of the Federal  
30 Government to curtail spending to conform to availa-  
31 ble revenues; and

32 WHEREAS, unified budgets do not reflect actual  
33 spending because of the exclusion of special outlays  
34 which are not included in the budget nor subject to  
35 the legal public debt limit; and

1           WHEREAS, knowledgeable planning, fiscal prudence  
2 and plain good sense require that the budget reflect  
3 all federal spending and be in balance; and

4           WHEREAS, believing that fiscal irresponsibility  
5 at the federal level, with the inflation which re-  
6 sults from this policy, is the greatest threat which  
7 faces our Nation, we firmly believe that constitu-  
8 tional restraint is necessary to bring the fiscal  
9 discipline needed to restore financial responsibili-  
10 ty; and

11           WHEREAS, under the United States Constitution,  
12 Article V, the Congress, whenever two thirds of both  
13 Houses shall deem it necessary, shall propose amend-  
14 ments to the United States Constitution, or, on the  
15 application of the legislatures of two thirds of the  
16 several states, shall call a convention for proposing  
17 amendments which, in either case, shall be valid to  
18 all intents and purposes, as part of the United  
19 States Constitution, when ratified by the legisla-  
20 tures of three fourths of the several states, or by  
21 conventions in three fourths thereof, as the one or  
22 the other mode of ratification may be proposed by the  
23 Congress; and

24           WHEREAS, we believe action on amendments to the  
25 United States Constitution concerning federal expend-  
26 itures to be vital; now, therefore, be it

27           RESOLVED: That this body respectfully applies to  
28 the Congress of the United States to call a conven-  
29 tion for the specific and exclusive purpose of pro-  
30 posing an amendment to the United States Constitution  
31 to require a balanced federal budget, except in time  
32 of declared war or when 3/5 of the elected members of  
33 each House agree; and be it further

34           RESOLVED: That this application by this body  
35 constitutes a continuing application in accordance  
36 with United States Constitution, Article V, until at  
37 least two thirds of the legislatures of the several  
38 states have made similar application pursuant to Ar-  
39 ticle V, but if Congress proposes an amendment to the  
40 United States Constitution identical in subject mat-  
41 ter to that contained in this Joint Resolution, then  
42 this application for a constitutional convention

1 shall no longer be of any force or effect; and be it  
2 further

3       RESOLVED: That this application and request be  
4 deemed null and void, rescinded and of no effect in  
5 the event that such convention not be limited to such  
6 specific and exclusive purpose; and be it further

7       RESOLVED: That this body also proposes that the  
8 legislatures of each of the several states comprising  
9 the United States apply to the Congress requesting  
10 the enactment of an appropriate amendment to the  
11 United States Constitution; or requiring the Congress  
12 to call a constitutional convention for proposing  
13 such amendment to the United States Constitution; and  
14 be it further

15       RESOLVED: That duly authenticated copies of this  
16 resolution be immediately sent by the Secretary of  
17 State to the Secretary of the Senate and presiding  
18 officers of both Houses of the legislatures of each  
19 of the several states in the Nation, the Speaker and  
20 the Clerk of the United States House of Representa-  
21 tives, the President and the Secretary of the United  
22 States Senate and to each member of the State of  
23 Maine Congressional delegation.

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