

SENATE JOINT RESOLUTION NO. 19

INTRODUCED BY DOVER, GALT, KOLSTAD, SMITH, BRIGGS,  
CONROY, HURWITZ, CURTISS, ELLISON, MARKS,  
COZZENS, NORDTVEDT, BURNETT, SPILKER,  
DEVLIN, HANNAH, WINSLOW, D. O'HARA,  
IVERSON, SWITZER, ROTH, SCHULTZ

IN THE SENATE

February 13, 1981	Introduced and referred to Committee on Finance and Claims.
February 20, 1981	Committee recommend bill do pass as amended. Report adopted.
February 21, 1981	Bill printed and placed on members' desks.
February 24, 1981	Motion pass consideration.
February 25, 1981	Second reading, do pass.  On motion rules suspended. Bill placed on calendar for third reading this day.  Third reading, passed. Ayes, 45; Noes, 3. Transmitted to House.

IN THE HOUSE

March 3, 1981	Introduced and referred to Committee on State Administration.
March 27, 1981	Committee recommend bill be concurred in as amended. Report adopted.
March 28, 1981	Second reading, pass consideration.

March 30, 1981

On motion rules suspended and bill allowed to be transmitted on 71st legislative day. Motion adopted.

March 31, 1981

Second reading, concurred in as amended.

On motion rules suspended and bill placed on third reading this day.

Third reading, concurred in as amended. Ayes, 85; Noes, 11.

#### IN THE SENATE

April 1, 1981

Returned from House with amendments.

April 7, 1981

On motion taken from second reading and referred to Committee on Bills and Journal. Sent to enrolling.

Reported correctly enrolled.

1 *Spitzer* JOINT RESOLUTION NO. *19* *Neuwirth*  
 2 INTRODUCED BY *Dave Spitzer, Jeff Hirsch, Smith Conway*  
*Charles Ellison, Mark Grogan, Northwest Burnett*  
 3 *SPILKER* *Kevin Hamed, (Uncle) D. O'Neil, Switzer*  
 4 *Spitzer* JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF *Roth*  
*Spitzer* REPRESENTATIVES OF THE STATE OF MONTANA CALLING FOR THE

5 REPRESENTATIVES OF THE STATE OF MONTANA CALLING FOR THE  
 6 CONGRESS OF THE UNITED STATES TO PROPOSE AND SUBMIT TO THE  
 7 STATES AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES  
 8 REQUIRING, WITH CERTAIN EXCEPTIONS, A BALANCED FEDERAL  
 9 BUDGET AND ALTERNATIVELY PETITIONING THE CONGRESS OF THE  
 10 UNITED STATES TO CALL A CONVENTION FOR THE EXCLUSIVE PURPOSE  
 11 OF PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED  
 12 STATES REQUIRING, WITH CERTAIN EXCEPTIONS, A BALANCED  
 13 FEDERAL BUDGET.

14  
 15 WHEREAS, with each passing year this nation becomes  
 16 more deeply in debt as its expenditures grossly and  
 17 repeatedly exceed available revenues; and

18 WHEREAS, convinced that fiscal irresponsibility at the  
 19 federal level, with the inflation that results from this  
 20 policy, is the greatest threat that faces our nation, the  
 21 Legislature firmly believes that constitutional restraint is  
 22 vital to bring the fiscal discipline needed to restore  
 23 financial responsibility; and

24 WHEREAS, under Article V of the Constitution of the  
 25 United States, amendments to the federal Constitution may be

1 proposed by the Congress whenever two-thirds of both houses  
 2 consider it necessary or upon the application of the  
 3 legislatures of two-thirds of the states that the Congress  
 4 call a constitutional convention for the purpose of  
 5 proposing amendments that shall be valid when ratified by  
 6 the legislatures of three-fourths of the states.

7  
 8 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE  
 9 OF REPRESENTATIVES OF THE STATE OF MONTANA:

10 (1) That the Congress of the United States is  
 11 requested to propose and submit to the states an amendment  
 12 to the Constitution of the United States requiring that, in  
 13 the absence of a national emergency, the federal budget be  
 14 balanced each fiscal year within 4 years after the amendment  
 15 is ratified by the various states.

16 (2) That, alternatively, this body respectfully  
 17 petitions the Congress of the United States to call a  
 18 convention for the specific and exclusive purpose of  
 19 proposing an amendment to the Constitution of the United  
 20 States to require a balanced federal budget and to make  
 21 certain exceptions with respect thereto.

22 (3) That this application by this body constitutes a  
 23 continuing application in accordance with Article V of the  
 24 Constitution of the United States until at least two-thirds  
 25 of the legislatures of the states have made similar

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 INTRODUCED BILL  
 SJR 19

1 applications pursuant to Article V, but that if Congress  
 2 proposes an amendment to the Constitution identical in  
 3 subject matter to that contained in this joint resolution,  
 4 this petition for a constitutional convention no longer has  
 5 any force or effect.

6 (4) That this request has no effect if this convention  
 7 is not limited to the specific and exclusive purpose of  
 8 requiring a balanced federal budget and allowing certain  
 9 exceptions with respect thereto.

10 (5) That as this application under Article V of the  
 11 Constitution of the United States is the exercise of a  
 12 fundamental power of the sovereign states under the  
 13 Constitution of the United States, it is requested that  
 14 receipt of this application by the Senate and the House of  
 15 Representatives of the Congress of the United States be  
 16 officially noted and entered upon their respective records  
 17 and that the full text of this resolution be published in  
 18 the official publication of both the Senate and the House of  
 19 Representatives of the Congress.

20 (6) That copies of this resolution be sent by the  
 21 Secretary of State of Montana to the Secretary of State and  
 22 presiding officers of both houses of the legislatures of  
 23 each state in the Union, the Speaker and the Clerk of the  
 24 United States House of Representatives, the President and  
 25 the Secretary of the United States Senate, and to each

1 member of the Montana Congressional delegation.

2 (7) That no convention be called until federal  
 3 statutes are enacted that specifically provide for a process  
 4 by which the convention is conducted and the manner by which  
 5 the convention's subject matter may be delineated,  
 6 restricted, deliberated, and voted upon.

-End-

Approved by Committee  
on Finance & Claims

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2 INTRODUCED BY DOVER, GALT, KOLSTAD, SMITH, BRIGGS,

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8 A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF  
9 REPRESENTATIVES OF THE STATE OF MONTANA CALLING FOR THE  
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16 ~~STATES REQUIRING, WITH CERTAIN EXCEPTIONS, A BALANCED~~  
17 ~~FEDERAL BUDGET.~~

18  
19 WHEREAS, with each passing year this nation becomes  
20 more deeply in debt as its expenditures grossly and  
21 repeatedly exceed available revenues; and

22 WHEREAS, convinced that fiscal irresponsibility at the  
23 federal level, with the inflation that results from this  
24 policy, is the greatest threat that faces our nation, the  
25 Legislature firmly believes that constitutional restraint is

1 vital to bring the fiscal discipline needed to restore  
2 financial responsibility; and

3 WHEREAS, under Article V of the Constitution of the  
4 United States, amendments to the federal Constitution may be  
5 proposed by the Congress whenever two-thirds of both houses  
6 consider it necessary ~~or upon the application of the~~  
7 ~~legislatures of two-thirds of the states that the Congress~~  
8 ~~call a constitutional convention for the purpose of~~  
9 ~~proposing amendments that shall be valid when ratified by~~  
10 ~~the legislatures of three-fourths of the states.~~

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12 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE  
13 OF REPRESENTATIVES OF THE STATE OF MONTANA:

14 (1) That the Congress of the United States is  
15 requested to propose and submit to the states an amendment  
16 to the Constitution of the United States requiring that, in  
17 the absence of a national emergency, the federal budget be  
18 balanced each fiscal year within 4 years after the amendment  
19 is ratified by the various states.

20 (2) ~~That, alternatively, this body respectfully~~  
21 ~~petitions the Congress of the United States to call a~~  
22 ~~convention for the specific and exclusive purpose of~~  
23 ~~proposing an amendment to the Constitution of the United~~  
24 ~~States to require a balanced federal budget and to make~~  
25 ~~certain exceptions with respect thereto.~~

~~{3}--That--this--application--by--this--body--constitutes--a  
 continuing--application--in--accordance--with--Article--V--of--the  
 Constitution--of--the--United--States--until--at--least--two--thirds  
 of--the--legislatures--of--the--states--have--made--similar  
 applications--pursuant--to--Article--V,--but--that--if--Congress  
 proposes--an--amendment--to--the--Constitution--identical--in  
 subject--matter--to--that--contained--in--this--joint--resolution,  
 this--petition--for--a--constitutional--convention--no--longer--has  
 any--force--or--effects.~~

~~{4}--That--this--request--has--no--effect--if--this--convention  
 is--not--limited--to--the--specific--and--exclusive--purpose--of  
 requiring--a--balanced--federal--budget--and--allowing--certain  
 exceptions--with--respect--thereto.~~

~~{5}{2} That as this application under Article V of the  
 Constitution of the United States RESOLUTION is the exercise  
 of a fundamental power of the sovereign states under the  
 Constitution of the United States, it is requested that  
 receipt of this application RESOLUTION by the Senate and the  
 House of Representatives of the Congress of the United  
 States be officially noted and entered upon their respective  
 records and that the full text of this resolution be  
 published in the official publication of both the Senate and  
 the House of Representatives of the Congress.~~

~~{6}{3} That copies of this resolution be sent by the  
 Secretary of State of Montana to the Secretary of State and~~

presiding officers of both houses of the legislatures of  
 each state in the Union, the Speaker and the Clerk of the  
 United States House of Representatives, the President and  
 the Secretary of the United States Senate, and to each  
 member of the Montana Congressional delegation.

~~{7}--That--no--convention--be--called--until--federal  
 statutes--are--enacted--that--specifically--provide--for--a--process  
 by--which--the--convention--is--conducted--and--the--manner--by--which  
 the--convention's--subject--matter--may--be--delimited,  
 restricted,--deliberated,--and--voted--upon.~~

-End-

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17 ~~FEDERAL BUDGET.~~

18  
19 WHEREAS, with each passing year this nation becomes  
20 more deeply in debt as its expenditures grossly and  
21 repeatedly exceed available revenues; and

22 WHEREAS, convinced that fiscal irresponsibility at the  
23 federal level, with the inflation that results from this  
24 policy, is the greatest threat that faces our nation, the  
25 Legislature firmly believes that constitutional restraint is

1 vital to bring the fiscal discipline needed to restore  
2 financial responsibility; and

3 WHEREAS, under Article V of the Constitution of the  
4 United States, amendments to the Federal Constitution may be  
5 proposed by the Congress whenever two-thirds of both houses  
6 consider it necessary or ~~upon the application of the~~  
7 ~~legislatures of two-thirds of the states that the Congress~~  
8 ~~call a constitutional convention for the purpose of~~  
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12 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE  
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14 (1) That the Congress of the United States is  
15 requested to propose and submit to the states an amendment  
16 to the Constitution of the United States requiring that, in  
17 the absence of a national emergency, the federal budget be  
18 balanced each fiscal year within 4 years after the amendment  
19 is ratified by the various states.

20 ~~(2) That alternatively this body respectfully~~  
21 ~~petitions the Congress of the United States to call a~~  
22 ~~convention for the specific and exclusive purpose of~~  
23 ~~proposing an amendment to the Constitution of the United~~  
24 ~~States to require a balanced federal budget and to make~~  
25 ~~certain exceptions with respect thereto.~~

1       ~~(3) That this application by this body constitutes a~~  
 2 ~~continuing application in accordance with Article V of the~~  
 3 ~~Constitution of the United States until at least two-thirds~~  
 4 ~~of the legislatures of the states have made similar~~  
 5 ~~applications pursuant to Article V but that if Congress~~  
 6 ~~proposes an amendment to the Constitution identical in~~  
 7 ~~subject matter to that contained in this joint resolution~~  
 8 ~~this petition for a constitutional convention no longer has~~  
 9 ~~any force or effect.~~

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 11 ~~is not limited to the specific and exclusive purpose of~~  
 12 ~~requiring a balanced federal budget and allowing certain~~  
 13 ~~exceptions with respect thereto.~~

14       ~~(5) (2) That as this application under Article V of the~~  
 15 ~~Constitution of the United States RESOLUTION is the exercise~~  
 16 ~~of a fundamental power of the sovereign states under the~~  
 17 ~~Constitution of the United States, it is requested that~~  
 18 ~~receipt of this application RESOLUTION by the Senate and the~~  
 19 ~~House of Representatives of the Congress of the United~~  
 20 ~~States be officially noted and entered upon their respective~~  
 21 ~~records and that the full text of this resolution be~~  
 22 ~~published in the official publication of both the Senate and~~  
 23 ~~the House of Representatives of the Congress.~~

24       ~~(6) (3) That copies of this resolution be sent by the~~  
 25 ~~Secretary of State of Montana to the Secretary of State and~~

1       presiding officers of both houses of the legislatures of  
 2 each state in the Union, the Speaker and the Clerk of the  
 3 United States House of Representatives, the President and  
 4 the Secretary of the United States Senate, and to each  
 5 member of the Montana Congressional delegation.

6       ~~(7) That no convention be called until federal~~  
 7 ~~statutes are enacted that specifically provide for a process~~  
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 21 ~~FEDERAL BUDGET.~~

22  
 23 WHEREAS, with each passing year this nation becomes  
 24 more deeply in debt as its expenditures grossly and  
 25 repeatedly exceed available revenues; and

1 WHEREAS, convinced that fiscal irresponsibility at the  
 2 federal level, with the inflation that results from this  
 3 policy, is the greatest threat that faces our nation, the  
 4 Legislature firmly believes that constitutional restraint is  
 5 vital to bring the fiscal discipline needed to restore  
 6 financial responsibility; and

7 WHEREAS, under Article V of the Constitution of the  
 8 United States, amendments to the federal Constitution may be  
 9 proposed by the Congress whenever two-thirds of both houses  
 10 consider it necessary ~~or upon the application of the~~  
 11 ~~legislatures of two-thirds of the states that the Congress~~  
 12 ~~call a constitutional convention for the purpose of~~  
 13 ~~proposing amendments that shall be valid when ratified by~~  
 14 ~~the legislatures of three-fourths of the states OR UPON THE~~  
 15 ~~APPLICATION OF THE LEGISLATURES OF TWO-THIRDS OF THE STATES~~  
 16 ~~THAT THE CONGRESS CALL A CONSTITUTIONAL CONVENTION FOR THE~~  
 17 ~~PURPOSE OF PROPOSING AMENDMENTS THAT SHALL BE VALID WHEN~~  
 18 ~~RATIFIED BY THE LEGISLATURES OF THREE-FOURTHS OF THE STATES.~~

19  
 20 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE  
 21 OF REPRESENTATIVES OF THE STATE OF MONTANA:

22 (1) That the Congress of the United States is  
 23 requested to propose and submit to the states an amendment  
 24 to the Constitution of the United States requiring that, in  
 25 the absence of a national emergency, the federal budget be

1 balanced each fiscal year within 4 years after the amendment  
2 is ratified by the various states.

3 (2) That, alternatively, this body respectfully  
4 petitions the Congress of the United States to call a  
5 convention for the specific and exclusive purpose of  
6 proposing an amendment to the Constitution of the United  
7 States to require a balanced federal budget and to make  
8 certain exceptions with respect thereto.

9 (3) That this application by this body constitutes a  
10 continuing application in accordance with Article V of the  
11 Constitution of the United States until at least two thirds  
12 of the legislatures of the states have made similar  
13 applications pursuant to Article V, but that if Congress  
14 proposes an amendment to the Constitution identical in  
15 subject matter to that contained in this joint resolution,  
16 this petition for a constitutional convention no longer has  
17 any force or effect.

18 (4) That this request has no effect if this convention  
19 is not limited to the specific and exclusive purpose of  
20 requiring a balanced federal budget and allowing certain  
21 exceptions with respect thereto.

22 (2) THAT, ALTERNATIVELY, THIS BODY RESPECTFULLY  
23 PETITIONS THE CONGRESS OF THE UNITED STATES TO CALL A  
24 CONVENTION FOR THE SPECIFIC AND EXCLUSIVE PURPOSE OF  
25 PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED

1 STATES TO REQUIRE A BALANCED FEDERAL BUDGET AND TO MAKE  
2 CERTAIN EXCEPTIONS WITH RESPECT THERETO.

3 (3) THAT THIS APPLICATION BY THIS BODY CONSTITUTES A  
4 CONTINUING APPLICATION IN ACCORDANCE WITH ARTICLE V OF THE  
5 CONSTITUTION OF THE UNITED STATES UNTIL AT LEAST TWO THIRDS  
6 OF THE LEGISLATURES OF THE STATES HAVE MADE SIMILAR  
7 APPLICATIONS PURSUANT TO ARTICLE V, BUT THAT IF CONGRESS  
8 PROPOSES AN AMENDMENT TO THE CONSTITUTION IDENTICAL IN  
9 SUBJECT MATTER TO THAT CONTAINED IN THIS JOINT RESOLUTION,  
10 THIS PETITION FOR A CONSTITUTIONAL CONVENTION NO LONGER HAS  
11 ANY FORCE OR EFFECT.

12 (4) THAT THIS REQUEST HAS NO EFFECT IF THIS CONVENTION  
13 IS NOT LIMITED TO THE SPECIFIC AND EXCLUSIVE PURPOSE OF  
14 REQUIRING A BALANCED FEDERAL BUDGET AND ALLOWING CERTAIN  
15 EXCEPTIONS WITH RESPECT THERETO.

16 (5) (2) (1) (2) That as this application under Article V  
17 of the Constitution of the United States APPLICATION UNDER  
18 ARTICLE V OF THE CONSTITUTION OF THE UNITED STATES  
19 RESOLUTION RESOLUTION is the exercise of a fundamental power  
20 of the sovereign states under the Constitution of the United  
21 States, it is requested that receipt of this application  
22 APPLICATION RESOLUTION RESOLUTION by the Senate and the  
23 House of Representatives of the Congress of the United  
24 States be officially noted and entered upon their respective  
25 records and that the full text of this resolution be

1 published in the official publication of both the Senate and  
2 the House of Representatives of the Congress.

3 ~~67137167(3)~~ That copies of this resolution be sent by  
4 the Secretary of State of Montana to the Secretary of State  
5 and presiding officers of both houses of the legislatures of  
6 each state in the Union, the Speaker and the Clerk of the  
7 United States House of Representatives, the President and  
8 the Secretary of the United States Senate, and to each  
9 member of the Montana Congressional delegation.

10 ~~{7}--that--no--convention--be--called--until--federal~~  
11 ~~statutes--are--enacted--that--specifically--provide--for--a--process~~  
12 ~~by--which--the--convention--is--conducted--and--the--manner--by--which~~  
13 ~~the--convention's--subject--matter--may--be--delineated,~~  
14 ~~restricted,~~ ~~deliberated,~~ ~~and--voted--upon.~~

15 ~~{7}--THAT--NO--CONVENTION--BE--CALLED--UNTIL--FEDERAL~~  
16 ~~STATUTES--ARE--ENACTED--THAT--SPECIFICALLY--PROVIDE--FOR--A--PROCESS~~  
17 ~~BY--WHICH--THE--CONVENTION--IS--CONDUCTED--AND--THE--MANNER--BY--WHICH~~  
18 ~~THE--CONVENTION'S--SUBJECT--MATTER--MAY--BE--DELINEATED,~~  
19 ~~RESTRICTED,~~ ~~DELIBERATED,~~ ~~AND--VOTED--UPON.~~

-End-

House amendments to Senate Joint Resolution 19

1. Strike: House State Administration Committee amendments of March 26, 1981 to SJR 19.