

State of South Dakota

EIGHTY-NINTH SESSION
LEGISLATIVE ASSEMBLY, 2014

672V0474

HOUSE STATE AFFAIRS

ENGROSSED NO. **HJR 1004** - 02/07/2014

Introduced by: Representatives Wick, Campbell, Cronin, Ecklund, Gosch, Haggar (Don), Haggar (Jenna), Heinemann (Leslie), Hunhoff (Bernie), Kopp, Lust, Magstadt, Mickelson, Munsterman, Olson (Betty), Qualm, Stalzer, Steele, Verchio, and Westra and Senators Rhoden, Brown, Heineman (Phyllis), Holien, Jensen, Jones (Chuck), Lederman, Maher, Novstrup (Al), Omdahl, Otten (Ernie), Rampelberg, Rave, and Tieszen

1 A JOINT RESOLUTION, Making formal application to Congress to call an Article V
2 convention of the states for the sole purpose of proposing a federal balanced budget
3 amendment.

4 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF SOUTH
5 DAKOTA, THE SENATE CONCURRING THEREIN:

6 WHEREAS, the Legislature of the State of South Dakota hereby applies to Congress, under
7 the provisions of Article V of the Constitution of the United States, for the calling of a
8 convention of the states limited to proposing an amendment to the Constitution of the United
9 States requiring that in the absence of a national emergency, the total of all Federal
10 appropriations made by the Congress for any fiscal year may not exceed the total of all estimated
11 Federal revenues for that fiscal year, together with any related and appropriate fiscal restraints;
12 and



1 WHEREAS, this application is to be considered as covering the same subject matter as the
2 presently outstanding balanced budget applications from other states, including, but not limited
3 to, previously-adopted applications from Alabama, Alaska, Arkansas, Colorado, Delaware,
4 Florida, Indiana, Iowa, Kansas, Maryland, Mississippi, Missouri, Nebraska, Nevada, New
5 Hampshire, New Mexico, North Carolina, Ohio, Pennsylvania, and Texas. This application shall
6 be aggregated with same for the purpose of attaining the two-thirds of states necessary to require
7 the calling of a convention for proposing a balanced budget amendment but may not be
8 aggregated with any applications on any other subject; and

9 WHEREAS, this application constitutes a continuing application in accordance with
10 Article V of the Constitution of the United States until the legislatures of at least two-thirds of
11 the several states have made applications on the same subject. It supersedes all previous
12 applications by this Legislature on the same subject:

13 NOW, THEREFORE, BE IT RESOLVED, by the House of Representatives of the Eighty-
14 Ninth Legislature of the State of South Dakota, the Senate concurring therein, that the State of
15 South Dakota does hereby apply to the Congress of the United States to call an amendment
16 convention pursuant to Article V of the United States Constitution limited to proposing an
17 amendment to the United States Constitution requiring that in the absence of a national
18 emergency, the total of all federal appropriations made by Congress for any fiscal year may not
19 exceed the total of all estimated federal revenues for that fiscal year, together with any related
20 and appropriate fiscal restraints; and

21 BE IT FURTHER RESOLVED, that the other states be encouraged to make similar
22 applications for an amendment convention pursuant to Article V of the Constitution of the
23 United States; and

24 BE IT FURTHER RESOLVED, that this application constitutes a continuing application

1 for such amendment convention pursuant to Article V of the Constitution of the United States
2 until the Legislatures of two-thirds of the states have made such applications and such
3 convention has been called by the Congress of the United States; and

4 BE IT FURTHER RESOLVED, that the secretary of state transmit copies of this resolution
5 to the President of the United States, the Speaker and the Clerk of the United States House of
6 Representatives, the President and the Clerk of the United States Senate, the members of the
7 South Dakota congressional delegation, and the Legislatures of each of the several states,
8 attesting the adoption of this resolution by the Legislature of the State of South Dakota.