

State of South Dakota

NINETIETH SESSION
LEGISLATIVE ASSEMBLY, 2015

804W0140

SENATE JOINT RESOLUTION NO. 1

Introduced by: Senators Otten (Ernie), Haggar (Jenna), Heineman (Phyllis), Jensen (Phil), Lederman, Omdahl, Tieszen, and White and Representatives Stalzer, Novstrup (Al), Otten (Herman), and Zikmund

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 SENATE OF THE STATE OF SOUTH DAKOTA, THE HOUSE
5 OF REPRESENTATIVES 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 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

13 WHEREAS, this application constitutes a continuing application in accordance with
14 Article V of the Constitution of the United States until the legislatures of at least two-thirds of



1 the several states have made applications on the same subject. It supersedes all previous
2 applications by this Legislature on the same subject:

3 NOW, THEREFORE, BE IT RESOLVED, by the Senate of the Ninetieth Legislature of the
4 State of South Dakota, the House of Representatives concurring therein, that the State of South
5 Dakota does hereby apply to the Congress of the United States to call an amendment convention
6 pursuant to Article V of the United States Constitution limited to proposing an amendment to
7 the United States Constitution requiring that in the absence of a national emergency, the total
8 of all federal appropriations made by Congress for any fiscal year may not exceed the total of
9 all estimated federal revenues for that fiscal year, together with any related and appropriate
10 fiscal restraints; and

11 BE IT FURTHER RESOLVED, this application is to be considered as covering the same
12 subject matter as the presently outstanding balanced budget applications from other states,
13 including previously-adopted applications from Alabama, Alaska, Arkansas, Colorado,
14 Delaware, Florida, Georgia, Indiana, Iowa, Kansas, Louisiana, Maryland, Michigan, Mississippi,
15 Missouri, Nebraska, Nevada, New Hampshire, New Mexico, North Carolina, Ohio,
16 Pennsylvania, Tennessee, and Texas. This application shall be aggregated with same for the
17 purpose of attaining the two-thirds of states necessary to require the calling of a convention for
18 proposing a balanced budget amendment but may not be aggregated with any applications on
19 any other subject; and

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

23 BE IT FURTHER RESOLVED, that this application constitutes a continuing application
24 for such amendment convention pursuant to Article V of the Constitution of the United States

1 until the Legislatures of two-thirds of the states have made such applications and such
2 convention has been called by the Congress of the United States; and

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