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ONE HUNDRED FOURTEENTH CONGRESS

# Congress of the United States House of Representatives

COMMITTEE ON THE JUDICIARY

2138 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6216

(202) 225-3951

<http://www.house.gov/judiciary>

November 04, 2016

The Honorable Karen Haas  
Clerk of the U.S. House of Representatives  
U.S. Capitol, Room H154  
Washington, D.C. 20515

Dear Madam Clerk,

Pursuant to section 3(c) of House Resolution 5 (114<sup>th</sup> Congress), I hereby designate the attached Memorial from the State of Wyoming, received by the House of Representatives in the year 1978, as purporting to be an application of the State legislature calling for a convention for proposing amendments to the Constitution of the United States pursuant to Article V, and request that you make it publicly available.

Sincerely,



Bob Goodlatte

Chairman



OFFICE OF THE SECRETARY OF STATE

United States of America, } ss.
State of Wyoming }

I. THYRA THOMSON, Secretary of the State of Wyoming do hereby certify . . .

. . . that the attached is a true and correct copy of the 1977 Original House Joint Resolution No. 12 of record in this office . . .

. . . IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Wyoming. Done at Cheyenne, the Capital, this sixth day of

June A. D. 1978

Thyra Thomson Secretary of State

By Deputy



ORIGINAL HOUSE  
JOINT RESOLUTION  
NO. 12

(ORIGINAL SIGNED BY  
PRESIDENT AND SPEAKER)

SIGNED BY GOVERNOR

DATE: 2-17-77

CHAPTER NO: None

ENROLLED JOINT RESOLUTION NO. 1, HOUSE OF REPRESENTATIVES

FORTY-FOURTH LEGISLATURE OF THE STATE OF WYOMING  
1977 SESSION

A JOINT RESOLUTION requesting appropriate action by the Congress, on its own by consent of two-thirds of both Houses or on the application of the legislatures of two-thirds of the several states, to propose an amendment to the Federal Constitution to require that the total of all Federal appropriations may not exceed the total of all estimated Federal revenues in any fiscal year, with certain exceptions.

WHEREAS, with each passing year this Nation becomes more deeply in debt as its expenditures grossly and repeatedly exceed available revenues so that the public debt now amounts to hundreds of billions of dollars; and

WHEREAS, attempts to limit spending, including impoundment of funds by the President of the United States, have resulted in strenuous assertions that the responsibility for appropriations is the constitutional duty of the Congress; and

WHEREAS, the annual Federal budget repeatedly demonstrates the unwillingness or inability of both the legislative and executive branches of the Federal government to curtail spending to conform to available revenues; and

WHEREAS, the unified budget does not reflect actual spending because of the exclusion of special outlays which are not included in the budget nor subject to the legal public debt limit; and

WHEREAS, the US News and World Report reported on February 25, 1974, that of these nonbudgetary outlays in the amount of \$15,600,000,000.00, the sum of \$12,900,000,000.00 represents funding of essentially private agencies which provide special services to the Federal government; and

WHEREAS, knowledgeable planning and fiscal prudence require that the budget reflect all Federal spending and that the budget be in balance; and

ORIGINAL HOUSE  
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1977 SESSION

WHEREAS, believing that fiscal irresponsibility at the Federal level, with the inflation which results from this policy, is the greatest threat which faces our Nation, we firmly believe that constitutional restraint is necessary to bring the fiscal disciplines needed to reverse this trend; and

WHEREAS, under Article V of the Constitution of the United States, amendments to the Federal Constitution may be proposed by the Congress whenever two-thirds of both Houses deem it necessary, or on the application of the legislatures of two-thirds of the several states the Congress shall call a constitutional convention for the purpose of proposing amendments;

NOW, THEREFORE BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF WYOMING, a majority of all members of the two houses, voting separately, concurring herein:

Section 1. That procedures be instituted in the Congress to add a new Article XXVII to the Constitution of the United States, and that Congress prepare and submit to the several states an amendment to the Constitution of the United States, requiring in the absence of a national emergency that the total of all Federal appropriations made by the Congress for any fiscal year may not exceed the total of the estimated Federal revenues, excluding any revenues derived from borrowing, for that fiscal year; or

Section 2. That the Congress of the United States call a constitutional convention for the specific and exclusive purpose of proposing such an amendment to the Federal Constitution, to be a new Article XXVII.

Section 3. That the legislatures of each of the several states comprising the United States apply to the Congress requiring it to call a constitutional convention for proposing such an amendment to the Federal Constitution, to be a new Article XXVII.

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1977 SESSION

Section 4. That the proposed new Article XXVII (or whatever numeral may then be appropriate) read substantially as follows:

PROPOSED ARTICLE XXVII

"The total of all Federal appropriations made by the Congress for any fiscal year may not exceed the total of the estimated Federal revenues for that fiscal year, excluding any revenues derived from borrowing; and this prohibition extends to all Federal appropriations and all estimated Federal revenues, excluding any revenues derived from borrowing. The President in submitting budgetary requests and the Congress in enacting appropriation bills shall comply with this Article. If the President proclaims a national emergency, suspending the requirement that the total of all Federal appropriations not exceed the total estimated Federal revenues for a fiscal year, excluding any revenues derived from borrowing, and two-thirds of all Members elected to each House of the Congress concur by Joint Resolution, the total of all Federal appropriations may exceed the total estimated Federal revenues for that fiscal year."

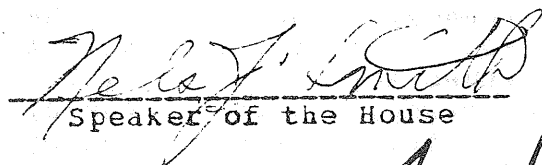
Section 5. That copies of this Resolution be transmitted to the President of the United States, the chairmen of the Judiciary Committees of both the Senate and House of Representatives, the chairman of the Joint Committee on Budget Control of the Congress and to each member of the Wyoming Congressional delegation.

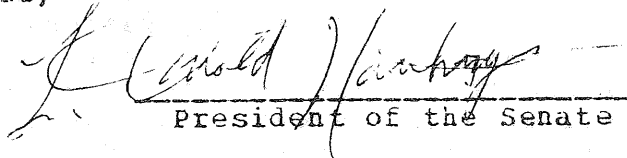
ORIGINAL HOUSE  
JOINT RESOLUTION  
NO. 12

ENROLLED JOINT RESOLUTION NO. 1, HOUSE OF REPRESENTATIVES  
FORTY-FOURTH LEGISLATURE OF THE STATE OF WYOMING  
1977 SESSION

Section 6. That copies of this Joint Resolution be transmitted to the Secretary of State and to the presiding officers of both Houses of the Legislature of each of the other States in the Union, with the request that it be circulated among leaders in the Executive and Legislative branches of the several State governments; and with the further request that each of the other States in the Union join in requiring the Congress of the United States to call a constitutional convention for the purpose of initiating a proposal to amend the Constitution of the United States in substantially the form proposed in this Joint Resolution.

(END)

  
Speaker of the House

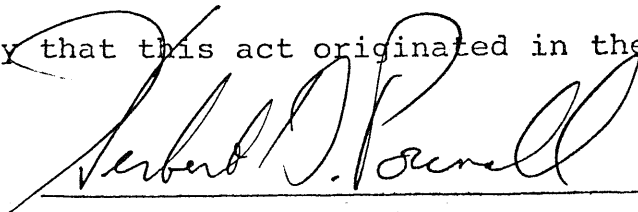
  
President of the Senate

  
Governor

TIME APPROVED: 11:46 A.M.

DATE APPROVED: 2/17/77

I hereby certify that this act originated in the House.

  
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Chief Clerk