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ONE HUNDRED FIFTEENTH 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>

May 15, 2017

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 (114th Congress), I hereby designate the attached Memorial from the State of Utah, received by the House of Representatives in the year 1979, 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.

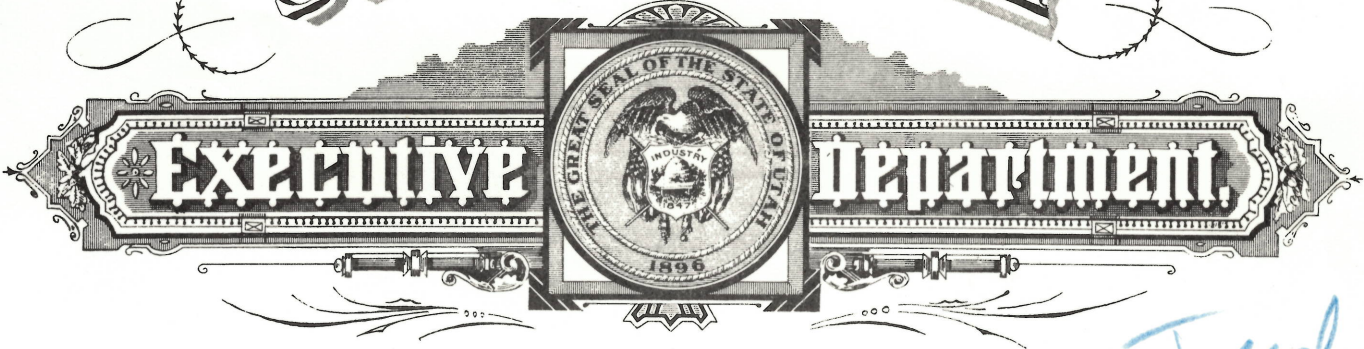
Sincerely,



Bob Goodlatte
Chairman

STATE OF UTAH

MAR - 7 1979



Jud.
57

Office of Secretary of State

I, DAVID S. MONSON, LT. GOVERNOR/SECRETARY OF STATE OF THE STATE OF UTAH, HEREBY CERTIFY THAT the attached is an original copy of an engrossed bill, House Joint Resolution No. 12, Balanced Federal Budget Resolution, which was passed by the Forty-Third Legislature, State of Utah in the 1979 General Session as appears of record in my office.

RECEIVED
1979 MAR -7 PM 1:44
THE SPEAKER'S ROOMS
U.S. HOUSE OF REPRESENTATIVES



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Utah at Salt Lake City, this 28TH day of FEBRUARY A.D. 1979.

David S. Monson
LT./GOVERNOR SECRETARY OF STATE

AUTHORIZED PERSON



Utah State Legislature Resolution

BALANCED FEDERAL BUDGET RESOLUTION

1979

GENERAL SESSION

Engrossed Copy

H.J.R. No. 12 By Gary H. Brockbank
 LeRay L. McAllister
 James V. Hansen
 Norman H. Bangerter
 Lorin E. Allred
 John B. Arrington
 Genevieve Atwood
 Rob B. Bishop
 Glen E. Brown
 T. Quentin Cannon
 Tom Christensen
 Leon F. Christiansen
 Ted M. Davis
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 Marvin S. Heslop
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 Bruce E. Humberstone
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 Duayne T. Johnson
 S. Garth Jones
 Keith E. Jorgenson
 C. DeMont Judd, Jr.
 Franklin W. Knowlton
 Stanley A. Leavitt
 Clifford S. LeFevre
 Roger A. Livingston
 Gayle F. McKeachnie
 Dix H. McMullin
 Paul F. Mecham
 Eldon A. Money
 Ray Nielsen
 Evan L. Olsen
 Lorin N. Pace
 E. Reed Palmer
 Charles E. Parkin
 Jen A. Patterson
 Cary Peterson
 Georgia B. Peterson
 Lowell S. Peterson
 Roger F. Rawson
 Charles Hardy Redd
 D. Leon Reese
 George LaMont Richards





Paul Rogers
John B. Rowe
Carl R. Saunders
Ray S. Schmutz
P. Lloyd Selleneit
John E. Smith
Ennis R. Starr
Ronald L. Stephens
Don R. Strong

Robert B. Sykes
Samuel S. Taylor
Norman O. Wahlstrom
Kevin Watt
Beverly J. White
James J. White
Joe E. Whitesides
Keith W. Wilcox
Warren S. Wimmer

A JOINT RESOLUTION OF THE GENERAL SESSION OF THE 43RD LEGISLATURE OF THE STATE OF UTAH, CALLING UPON CONGRESS TO PASS A CONSTITUTIONAL AMENDMENT TO REQUIRE, IN THE ABSENCE OF A NATIONAL EMERGENCY, THAT THE TOTAL OF ALL FEDERAL APPROPRIATIONS BY CONGRESS FOR ANY FISCAL YEAR MAY NOT EXCEED THE TOTAL OF ALL ESTIMATED FEDERAL REVENUES FOR THAT FISCAL YEAR; APPLYING TO CONGRESS TO INITIATE PROCEEDINGS TO THAT END, OR, IN THE ALTERNATIVE, TO CALL A CONSTITUTIONAL CONVENTION FOR THE SOLE PURPOSE OF PROPOSING SUCH AN AMENDMENT; AND CALLING UPON THE LEGISLATURES OF THE SEVERAL STATES LIKewise TO APPLY TO CONGRESS TO TAKE SUCH ACTION.

Be it resolved by the Legislature of the State of Utah:

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 exceeds hundreds of billions of dollars;

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

WHEREAS, unified budgets do 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;

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

WHEREAS, numerous states have constitutional requirements that appropriations not exceed anticipated revenues for the forthcoming year;





WHEREAS, believing that fiscal irresponsibility at the federal level, and the inflation which results therefrom, constitutes the greatest threat now facing our nation, this Legislature is of the firm conviction that constitutional restraint is necessary to bring the fiscal discipline needed to restore financial responsibility; 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 and, on the application of the legislatures of two-thirds of the several states, the Congress shall call a constitutional convention for the sole purpose of proposing amendments, which action this Legislature deems vital.

NOW, THEREFORE, BE IT RESOLVED by the 43rd Legislature of the State of Utah, that the Congress of the United States is requested to institute procedures to add a new article to the Constitution of the United States and to 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 all estimated federal revenues for that fiscal year.

BE IT FURTHER RESOLVED that, alternatively, this Legislature applies to the Congress of the United States to call a constitutional convention for the specific and exclusive purpose of proposing an amendment to the federal constitution which would require, 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 that total of all estimated federal revenues for that fiscal year.

BE IT FURTHER RESOLVED, that this Legislature calls upon the legislatures of each of the several states to request Congress to enact an appropriate amendment to the federal constitution or, in the alternative, to apply to the Congress to call a constitutional convention for the sole purpose of proposing such an amendment to the federal constitution.

BE IT FURTHER RESOLVED, that copies of this Resolution be forwarded to the President of the Senate and the Speaker of the House of Representatives of the United States and to all members of the Utah delegation in Congress.

BE IT FURTHER RESOLVED, that copies of this Resolution also be prepared and forwarded to the secretaries of state and to the presiding officers of the legislatures of the several states with the request that they join this State in making application to the Congress of the United States to pass such an amendment or, in the alternative, to call a convention for the sole purpose of proposing such an amendment.





BE IT FURTHER RESOLVED, that this application for a Convention Call for proposing amendments be limited to the subject matter of this Resolution and that the State of Utah be counted as a part of the necessary two-thirds states for such a call only if the convention is limited to the subject matter of this Resolution.



OFFICIAL SIGNATURE SHEET

The foregoing _____ was publicly read by title on the _____ day of _____, 19 _____ and signed by the President of the Senate on the _____ day of _____, 19 _____, and the fact of such signing duly entered upon the Journal this

_____ day of _____, 19 _____

ATTEST:

Secretary of Senate

President of the Senate

The foregoing HJR#12 was publicly read by title and immediately thereafter signed by the President of the Senate, in the presence of the house over which he presides, and the fact of such signing duly entered upon the Journal this

2nd day of February, 19 79

ATTEST:

Sophia C. Buchmiller

Secretary of Senate

[Signature]
President of the Senate

The foregoing _____ was publicly read by title on the _____ day of _____, 19 _____ and signed by the Speaker of the House on the _____ day of _____, 19 _____, and the fact of such signing duly entered upon the Journal this

_____ day of _____, 19 _____

ATTEST:

Chief Clerk of the House

Speaker of the House

The foregoing HJR#12 was publicly read by title and immediately thereafter signed by the Speaker of the House, in the presence of the house over which he presides, and the fact of such signing duly entered upon the Journal this

5th day of February, 19 79

ATTEST:

Allen M. Acomb

Chief Clerk of the House

[Signature]
Speaker of the House

Received from the _____ this _____ day of _____, 19 _____

Approved _____, 19 _____

Received from the Governor, and filed in the office of the Secretary of State this _____ day of

19 _____

Secretary of State