

IN THE HOUSE OF REPRESENTATIVES

HOUSE CONCURRENT RESOLUTION NO. 10

BY JUDICIARY, RULES AND ADMINISTRATION COMMITTEE

A CONCURRENT RESOLUTION

1 STATING FINDINGS OF THE LEGISLATURE AND MAKING THREE SEPARATE APPLICATIONS  
2 TO THE UNITED STATES CONGRESS TO CALL A CONVENTION OF THE STATES UNDER  
3 ARTICLE V OF THE CONSTITUTION OF THE UNITED STATES FOR THE PURPOSE OF  
4 PROPOSING AMENDMENTS TO THE CONSTITUTION OF THE UNITED STATES RELATED  
5 TO BALANCING THE FEDERAL BUDGET, IMPOSING FISCAL RESTRAINTS ON THE  
6 FEDERAL GOVERNMENT, LIMITING THE POWER AND JURISDICTION OF THE FEDERAL  
7 GOVERNMENT, AND LIMITING THE TERMS OF OFFICE FOR ITS OFFICIALS AND FOR  
8 MEMBERS OF CONGRESS.  
9

10 Be It Resolved by the Legislature of the State of Idaho:

11 WHEREAS, the framers of the Constitution of the United States, through  
12 the enactment of Article V, empowered state legislators to be guardians of  
13 liberty against future abuses of power by the federal government; and

14 WHEREAS, the federal government has created a crushing national debt  
15 through improper and imprudent spending; and

16 WHEREAS, the federal government has invaded the legitimate roles of the  
17 states through the manipulative process of federal mandates, most of which  
18 are unfunded to a great extent; and

19 WHEREAS, the federal government has ceased to live under a proper inter-  
20 pretation of the Constitution of the United States; and

21 WHEREAS, it is the solemn duty of the states to protect the liberty of  
22 our people, particularly for the generations to come, by proposing amend-  
23 ments to the Constitution of the United States through a convention of the  
24 states under Article V of the Constitution of the United States to place  
25 clear restraints on these and related abuses of power; and

26 WHEREAS, the citizens of the State of Idaho believe that it is in the  
27 best interest of the people of the United States to amend the Constitution  
28 of the United States in order to adopt a balanced budget amendment and to ad-  
29 dress the areas of overreach of the federal government; and

30 WHEREAS, as early as 1979, the Forty-fifth Idaho Legislature enacted  
31 House Concurrent Resolution No. 7, calling for an Article V Convention for  
32 the purpose of preparing and submitting to the states an amendment "to re-  
33 quire, with certain exceptions, that the total of all federal appropriations  
34 may not exceed the total of all estimated federal revenues in any fiscal  
35 year"; and

36 WHEREAS, Article V of the Constitution of the United States mandates  
37 that upon the "Application of the Legislatures of two thirds of the several  
38 States" Congress shall "call a Convention for proposing Amendments."

39 NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Ses-  
40 sion of the Sixty-eighth Idaho Legislature, the House of Representatives and  
41 the Senate concurring therein, that the Legislature of the State of Idaho  
42 hereby makes three separate applications to Congress, under the provisions  
43 of Article V of the Constitution of the United States. The first such appli-

1 cation is set forth in Sections 1 through 3 of this resolution. The second  
2 such application is set forth in Sections 4 through 6 of this resolution. The  
3 third such application is set forth in Sections 7 through 10 of this resolu-  
4 tion.

5 SECTION 1. The members of the First Regular Session of the Sixty-eighth  
6 Idaho Legislature, the House of Representatives and Senate concurring  
7 therein, as the Legislature of the State of Idaho, hereby apply to Congress,  
8 under the provisions of Article V of the Constitution of the United States,  
9 for the calling of a convention of the states limited to proposing an amend-  
10 ment to the Constitution of the United States requiring that in the absence  
11 of a national emergency that the total of all Federal outlays made by the Con-  
12 gress for any fiscal year may not exceed the total of all estimated Federal  
13 revenues for that fiscal year, together with any related and appropriate  
14 fiscal restraints.

15 SECTION 2. The Secretary of State is hereby directed to transmit copies  
16 of this application to the President and Secretary of the United States Sen-  
17 ate, the Speaker and Clerk of the United States House of Representatives, and  
18 the members of the United States Senate and the United States House of Rep-  
19 resentatives from this state. The Secretary of State is further directed to  
20 transmit copies of this resolution to the presiding officers of each of the  
21 legislative houses in the several states, requesting their cooperation in  
22 this endeavor.

23 SECTION 3. This application constitutes a continuing application in  
24 accordance with Article V of the Constitution of the United States until the  
25 legislatures of at least two-thirds of the several states have made appli-  
26 cations on the same subject, or until December 31, 2031, whichever occurs  
27 earlier. This application supersedes all previous applications by this  
28 Legislature on the same subject.

29 SECTION 4. The members of the First Regular Session of the Sixty-eighth  
30 Idaho Legislature, the House of Representatives and Senate concurring  
31 therein, as the Legislature of the State of Idaho, hereby apply to Congress,  
32 under the provisions of Article V of the Constitution of the United States,  
33 for the calling of a convention of the states limited to proposing amend-  
34 ments to the Constitution of the United States that impose fiscal restraints  
35 on the federal government, limit the power and jurisdiction of the federal  
36 government and limit the terms of office for its officials and for members of  
37 Congress.

38 SECTION 5. The Secretary of State is hereby directed to transmit copies  
39 of this application to the President and Secretary of the United States Sen-  
40 ate, the Speaker and Clerk of the United States House of Representatives, and  
41 the members of the United States Senate and the United States House of Rep-  
42 resentatives from this state. The Secretary of State is further directed to  
43 transmit copies to the presiding officers of each of the legislative houses  
44 in the several states, requesting their cooperation.

45 SECTION 6. This application constitutes a continuing application in  
46 accordance with Article V of the Constitution of the United States until the  
47 legislatures of at least two-thirds of the several states have made appli-  
48 cations on the same subject, or until December 31, 2031, whichever occurs  
49 earlier. This application supersedes all previous applications by this  
50 Legislature on the same subject.

1 SECTION 7. The members of the First Regular Session of the Sixty-eighth  
2 Idaho Legislature, the House of Representatives and Senate concurring  
3 therein, as the Legislature of the State of Idaho, hereby apply to Congress,  
4 under the provisions of Article V of the Constitution of the United States,  
5 for the calling of a convention of the states limited to proposing an amend-  
6 ment to the Constitution of the United States to set a limit on the number of  
7 terms that a person may be elected as a Member of the United States House of  
8 Representatives and to set a limit on the number of terms that a person may be  
9 elected as a Member of the United States Senate.

10 SECTION 8. The Secretary of State is hereby directed to transmit copies  
11 of this application to the President and Secretary of the United States Sen-  
12 ate, the Speaker and Clerk of the United States House of Representatives and  
13 members of the United States Senate and House of Representatives from this  
14 state. The Secretary of State is further directed to transmit copies to the  
15 presiding officers of each of the legislative houses in the several states,  
16 requesting their cooperation.

17 SECTION 9. This application shall be considered as covering the same  
18 subject matter as the applications from other states to Congress to call a  
19 convention to set a limit on the number of terms that a person may be elected  
20 to the House of Representatives of the Congress of the United States and the  
21 Senate of the United States, and this application shall be aggregated with  
22 the same for the purpose of attaining the two-thirds of states necessary to  
23 require Congress to call a limited convention on this subject but shall not  
24 be aggregated with any other applications on any other subject.

25 SECTION 10. This application constitutes a continuing application in  
26 accordance with Article V of the Constitution of the United States until the  
27 legislatures of at least two-thirds of the several states have made applica-  
28 tions on the same subject, or until December 31, 2031, whichever occurs ear-  
29 lier. This application supersedes all previous applications by this Legis-  
30 lature on the same subject.