

A CONCURRENT RESOLUTION, To accept an invitation to attend a balanced budget amendment planning committee.

WHEREAS, Article V of the Constitution of the United States provides that upon receipt of applications from two-thirds of the legislatures of the several states, Congress shall call a convention for proposing amendments; and

WHEREAS, it is likely that in the near future two-thirds of the state legislatures will have applied for a convention limited to proposing an amendment adding to the Constitution a requirement that the federal government balance its budget; and

WHEREAS, in its call Congress will be required to specify an initial time and place for the meeting of this convention and the convention itself will need to adopt rules for its own governance; and

WHEREAS, a national convention of the states has not met since 1861 and a regional convention of the states has not met since 1922 so that many people are unfamiliar with the process, the General Assembly of the State of Tennessee has called a preliminary convention of the states beginning on ~~July 11,~~ September 12, 2017, in ~~Nashville, Tennessee~~ Phoenix, Arizona for the exclusive purposes of planning for, and recommending rules and procedures to, a prospective convention for proposing a balanced budget amendment to the United States Constitution; and recommending to Congress the initial date and location of a convention for proposing a balanced budget amendment, which preliminary gathering is hereinafter referred to as the ~~Nashville~~ Phoenix BBA Planning Convention; and

WHEREAS, it is in the interest of the people of the State of South Dakota that the voice of our state be heard at the ~~Nashville~~ Phoenix BBA Planning Convention:

NOW, THEREFORE, BE IT RESOLVED, by the Senate of the Ninety-Second Legislature of the State of South Dakota, the House of Representatives concurring therein, that the Legislature accepts the invitation of the General Assembly of the State of ~~Tennessee~~ Arizona to attend the ~~Nashville~~ Phoenix BBA Planning Convention; and

BE IT FURTHER RESOLVED, that the provisions of chapter 2-15 regarding the selection and instruction of Article V convention delegates also apply to this convention.

Proposed Delegate Selection Process:

- (1) Two delegates and two alternates appointed by the president pro tempore of the Senate;
- (2) Two delegates and two alternates appointed by the speaker of the House of Representatives; and
- (3) One delegate and one alternative jointly appointed by the president pro tempore and the speaker.

Delegate Instructions:

A delegate may only vote for rules consistent with the following principles:

- (1) The convention is convened under the authority granted to the state legislatures of the several states by Article V of the Constitution of the United States;
- (2) The only participants at this convention are the several states represented by their respective delegations duly selected in such a manner as their respective legislatures have determined;
- (3) The scope of the convention's authority is defined by applications adopted by at least two-thirds of the legislatures of the several states, which authority is limited to the subject of the call of the convention. The convention has no authority to propose or discuss an amendment on any other subject;
- (4) The convention shall provide for disciplining a delegation for exceeding the scope of the convention's authority by raising subjects for discussion or debate that lie outside the convention's authority;
- (5) The convention may not infringe on the respective state legislature's authority to instruct, discipline, recall and replace delegates;
- (6) A quorum for all sessions of the convention and for all committee meetings shall be a majority of the states attending the convention or serving as members of the relevant committee;
- (7) All voting at the convention or in a committee shall be by state with

each state having one vote, without apportionment or division. Each state legislature shall determine the internal voting and quorum rules for casting the vote of its delegation;

- (8) A majority vote of the quorum shall prevail on all issues before the convention and in all committees, except for procedural votes that may require a supermajority; and
- (9) An affirmative vote not greater than a majority of the several states shall be necessary to propose an amendment.