

# Balanced Budget Amendment Planning Convention



At the June 6<sup>th</sup> meeting of the SD Legislature Executive Board, Sen. Jim Stalzer, Rep. Mike Stevens and former Rep. Hal Wick were selected to represent SD at the Convention of States called by the Arizona Legislature in HCR 2022 to plan for a possible Convention of States to propose a Balanced Budget Amendment. This was the first Convention of States where all states were invited since 1861 when they attempted to prevent the civil war.

The convention was held in Phoenix AZ from September 12 to 15 at the Arizona House of Representatives building. Nineteen States sent 72 official delegates and five States sent official observers. Delegate needed the signature of both their Speaker and the Senate Legislative Leader while observers needed the signature of only one of them. Observers, were allowed to interact with the delegates, but did not have floor privileges and could not vote.

Prior to the start of the convention, the SD delegation decided that Sen. Stalzer and Former Rep. Wick would serve on the rules committee and Rep. Stevens would participate in the planning committee.

The convention was called to order at 12:00 noon on September 12<sup>th</sup>. The first order of business was to elect convention officers. Rep. Kelly Townsend of Arizona was elected President, Rep. Ken Ivory of Utah was elected Vice President and Georgia attorney David Guldenschuh was elected Convention Secretary. After the election of convention officers, the proposed temporary rules were discussed and unanimously approved.

The convention then split into committees to elect committee leadership.

The Rules Committee, elected Former Rep. Gary Banz of Oklahoma as Chair and Sen. Jim Stalzer of South Dakota as Vice Chair.

Prior to the convention, legislators from several states worked together to draft a basic set of suggested rules. Their work was introduced by Tennessee and unanimously adopted as Resolution 1 for the Phoenix Convention. At that point, the Rules Committee adjourned for the day, so delegates could review the proposed rules and offer amendments. Amendments were accepted until 8:30 each morning. With short verbal amendments accepted from the floor.

On Wednesday, Thursday, and Friday morning the Committee debated Resolution 1 rule by rule. If there were no proposed amendments for a rule, the committee moved to the next rule. The convention rules required the reading of all amendments on a rule with the sponsor then being given time to explain the reasoning. When all proposed amendments had been introduced, there was to be debate and voting until only one survived. As a practical matter, when there were conflicting amendments, a short recess was called so the sponsors could meet to see if they could find mutually agreeable language. In every case the parties came back with a single amendment that was then vigorously, but respectfully debated and then voted up or down.

Some of the:

One State, one Vote

Only amendments contained in the applications of 2/3rds of the States will be accepted.

Individual States will determine the makeup of their delegation

States should have the right to discipline, recall or replace a delegate

The Rules Committee finished their work about 10 am Friday morning, by unanimously passing the amended Resolution 1.

The Planning Committee elected Arizona Rep. Bob Thorp as Chair. The Planning Committee divided its work into two sub-committees (one to suggest how states should select delegates to a future Article V convention, and one to deal with time, place and logistics of holding a convention).

The Phoenix Correspondence Commission (PCC) was proposed and created. The PCC consists of commissioners appointed by the states to carry out the following functions:

Creating a single point of contact to act as a liaison with Congress.  
Track all applications for a convention for proposing amendments.  
Suggest to Congress, a time and place for a convention for proposing amendments.  
Provide a process for legal representation, if necessary.  
Perform tasks as needed to organize the convention.  
Provide communications with any or all of the following:

State Legislators  
United States Citizens  
Convention Organizers  
State Congressional Delegations  
Congress

The PCC is initially comprised of one member appointed from each delegation present at the Arizona Balanced Budget Amendment Planning Convention, until such time as each commissioner's state formally appoints a commissioner to the PCC or declines to do the same. Sen. Jim Stalzer was appointed to represent SD.

After the committees had completed their work, Reports from the two sub-committees were presented to the convention as a whole. Again, amendments were offered from the floor, entertained, and changes were accommodated. The amended Resolution 1 was unanimously approved by the convention as a whole, as were the reports of the planning committee.



Sen. Jim Stalzer  
South Dakota Legislature

