COMMITTEE REPORT

April 9, 2013

**H. 3862**

Introduced by Rep. Barfield

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Read the first time March 21, 2013.

**THE COMMITTEE ON**

**INVITATIONS AND MEMORIAL RESOLUTIONS**

To whom was referred a Concurrent Resolution (H. 3862) to make application by the State of South Carolina under Article V of the United States Constitution for a balanced budget amendment convention of the several, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass:

LISTON D. BARFIELD for Committee.

**A** **CONCURRENT RESOLUTION**

TO MAKE APPLICATION BY THE STATE OF SOUTH CAROLINA UNDER ARTICLE V OF THE UNITED STATES CONSTITUTION FOR A BALANCED BUDGET AMENDMENT CONVENTION OF THE SEVERAL STATES OF THE UNITED STATES.

Whereas, the annual federal budget is not in balance and the federal public debt is now more than sixteen trillion dollars; and

Whereas, continued deficit spending demonstrates an unwillingness or inability of both the federal executive and legislative branches to spend no more than available revenues; and

Whereas, fiscal irresponsibility at the federal level is lowering our standard of living, destroying jobs, and endangering economic opportunity now and for the next generation; and

Whereas, the federal government’s unlimited ability to borrow raises questions about fundamental principles and responsibilities of government, with potentially profound consequences for the nation and its people, making it an appropriate subject for limitation by the Constitution of the United States. Now, therefore,

Be it resolved by the House of Representatives, the Senate concurring:

That the General Assembly of the State of South Carolina hereby applies to Congress, under the provisions of Article V of the Constitution of the United States, for the calling of a convention of the states limited to proposing an amendment to the Constitution of the United States requiring that in the absence of a national emergency 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, together with any related and appropriate fiscal restraints.

Be it further resolved that copies of this application shall be transmitted to the President and Secretary of the Senate and to the Speaker and Clerk of the House of Representatives of the Congress, and copies to the members of the Senate and House of Representatives from this State.

Be it further resolved that copies of this resolution also shall be transmitted to the presiding officers of each of the legislative houses in the several states, requesting their cooperation in this endeavor.

Be it further resolved that this application is to be considered as covering the balanced budget amendment language of the presently outstanding balanced budget applications from other states including, but not limited to, previously adopted applications from Alabama, Alaska, Arkansas, Colorado, Florida, Indiana, Iowa, Kansas, Mississippi, Missouri, Nebraska, Nevada, New Hampshire, New Mexico, North Carolina, Pennsylvania, and Texas; and this application shall be aggregated with same for the purpose of attaining the two‑thirds of states necessary to require the calling of a convention for proposing a balanced budget amendment, but shall not be aggregated with any applications on any other subject.

Be it further resolved that this application constitutes a continuing application in accordance with Article V of the Constitution of the United States until the legislatures of at least two‑thirds of the several states have made applications on the same subject. It supersedes all previous applications by this General Assembly on the same subject.

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