

By: Larson

H.J.R. No. 81

A JOINT RESOLUTION

1 applying to the Congress of the United States to call a convention  
2 to propose amendments to the United States Constitution to provide  
3 for congressional term limits, the line-item veto, a balanced  
4 federal budget, a limit on federal debt, and the repeal of federal  
5 law by two-thirds of the several states.

6 WHEREAS, The founders of the United States did not intend the  
7 political power of the federal government to become vested in a  
8 permanent ruling class; and

9 WHEREAS, The absence of a reasonable limitation on the time  
10 any one individual may serve as either a representative or senator  
11 in the Congress of the United States creates an overwhelming  
12 advantage in incumbency and causes members of Congress to unduly  
13 focus on soliciting contributions for future political campaigns,  
14 to the damage of the republic; and

15 WHEREAS, The advantages of incumbency have manifested  
16 themselves in the establishment of a ruling class that disdains  
17 fiscal discipline to the long-term detriment of the economy of the  
18 United States and each of the several states; and

19 WHEREAS, Congress routinely ignores the limitations placed  
20 on its powers and authority by the Tenth Amendment to the United  
21 States Constitution and assumes a level of power and authority  
22 nearly unchecked and contrary to the intentions of the founders;  
23 and

24 WHEREAS, The United States Constitution contains no

1 provision setting congressional term limits, granting the  
2 president the power to veto line-item expenditures, requiring a  
3 balanced federal budget, providing a limit on the indebtedness of  
4 the federal government, or permitting the repeal of federal law by  
5 the several states; and

6 WHEREAS, Article V of the United States Constitution provides  
7 that on application of the legislatures of two-thirds of the  
8 several states Congress shall call a convention for proposing  
9 amendments to the constitution; now, therefore, be it

10 RESOLVED, That the 82nd Texas Legislature apply to Congress  
11 to call a convention under Article V of the United States  
12 Constitution for the exclusive purpose of proposing amendments to  
13 the constitution to provide for:

14 (1) Limiting the length of time one individual may  
15 serve in elected office in the United States Congress to no more  
16 than two elected terms as senator and no more than six elected terms  
17 as representative, including the further limitation that an  
18 individual elected or appointed to fill more than half of a  
19 remaining term in the senate or house shall only be eligible to be  
20 elected to one and five terms, respectively, as in the following  
21 suggested language:

22 "No person shall be elected to the Senate of the United States  
23 more than twice, and no person who has held the office of Senator  
24 for more than three years of a term to which some other person was  
25 elected Senator shall be elected to a full term of the office of  
26 Senator more than once; further, no person who has held the office  
27 of Senator for more than nine years shall be eligible for

1 appointment or election to that office to complete the term of  
2 another person."

3 "No person shall be elected to the United States House of  
4 Representatives more than six times, and no person who has held the  
5 office of Representative for more than one year of a term to which  
6 some other person was elected Representative shall be elected to a  
7 full term of the office of Representative more than five times;  
8 further, no person who has held the office of Representative for  
9 more than eleven years shall be eligible for election to that office  
10 to complete the term of another person.";

11 (2) Granting the president of the United States the  
12 authority to strike from proposed legislation any provision that  
13 authorizes funding the president determines to be unnecessary,  
14 commonly known as the line-item veto, which may be overridden by  
15 Congress in the same manner as other vetoed legislation, as in the  
16 following suggested language:

17 "The President may approve any appropriation and disapprove  
18 any other appropriation in the same bill. When the President  
19 disapproves an appropriation in a bill, the President shall  
20 designate the appropriation disapproved when signing the bill and  
21 shall return a copy of the disapproved appropriation, with a  
22 statement of objections, to the house of Congress from which the  
23 bill originated. The procedure to override the President's  
24 disapproval of an appropriation is the same as that provided in  
25 Article I, Section 7, for bills disapproved by the President.";

26 (3) Requiring the annual budget of the federal  
27 government to be balanced, except in time of national emergency as

1 authorized by a three-quarters majority of both houses of Congress,  
2 as in the following suggested language:

3 "No appropriation of funds may be approved by Congress in a  
4 fiscal year if the total amount of all funds appropriated in bills  
5 previously passed in the fiscal year equals or exceeds the total  
6 revenue received by the United States government in the preceding  
7 fiscal year, unless both the House and the Senate by a vote of not  
8 less than three-quarters of the members of each house declare an  
9 emergency requiring such expenditures.";

10 (4) Prohibiting the federal government from incurring  
11 or guaranteeing debt, including the indebtedness of entities other  
12 than the federal government that are guaranteed by the United  
13 States, greater than a specified limit except in time of national  
14 emergency as authorized by a three-quarters majority of both houses  
15 of Congress, as in the following suggested language:

16 "The total outstanding debt of the United States government  
17 may not exceed the amount of debt outstanding as of the end of the  
18 fiscal year ending September 30, 2011, unless both the House and the  
19 Senate by a vote of not less than three-quarters of the members of  
20 each house declare an emergency requiring greater indebtedness.  
21 The total outstanding debt of entities other than the United States  
22 government that the United States guarantees as to repayment of  
23 principal or interest may not exceed the amount of outstanding debt  
24 so guaranteed by the United States government as of September 30,  
25 2011, unless both the House and the Senate by a vote of not less than  
26 three-quarters of the members of each house declare an emergency  
27 requiring increased guarantees of such indebtedness."; and

1           (5) Permitting the repeal of a federal law by vote of  
2 the legislatures of two-thirds of the several states; and, be it  
3 further

4           RESOLVED, That a convention called to propose amendments to  
5 the United States Constitution be limited to the purposes of  
6 proposing amendments to provide for congressional term limits, the  
7 line-item veto, a balanced federal budget, a limit on federal debt,  
8 and the repeal of federal law by the several states, as well as the  
9 organization and operation of the convention; and, be it further

10          RESOLVED, That the Texas secretary of state forward official  
11 copies of this resolution to the president of the United States, to  
12 the speaker of the House of Representatives and the president of the  
13 Senate of the Congress of the United States, and to all members of  
14 the Texas delegation to Congress with the request that this  
15 resolution be officially entered in the Congressional Record as an  
16 application to Congress for a convention to propose amendments to  
17 the United States Constitution to provide for congressional term  
18 limits, the line-item veto, a balanced federal budget, a limit on  
19 federal debt, and the repeal of federal law by the several states;  
20 and, be it further

21          RESOLVED, That the Texas secretary of state forward official  
22 copies of this resolution to the secretaries of state and to the  
23 presiding officers of the legislatures of the several states with  
24 the request that they join this state in applying to Congress for a  
25 convention to propose amendments to the United States Constitution  
26 to provide for congressional term limits, the line-item veto, a  
27 balanced federal budget, a limit on federal debt, and the repeal of

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1 federal law by the several states.