

By: Workman, Flynn, Frank, et al.

H.J.R. No. 78

A JOINT RESOLUTION

1 applying to the Congress of the United States to call a convention  
2 under Article V of the United States Constitution for the limited  
3 purpose of proposing an amendment to the constitution to impose  
4 fiscal restraints on the federal government.

5 WHEREAS, The drafters of the United States Constitution  
6 empowered state legislatures to be guardians of liberty against  
7 abuses of power by the federal government; and

8 WHEREAS, The federal government has abused its power by  
9 creating a crushing national debt through improper and imprudent  
10 spending; and

11 WHEREAS, The federal government has abused its power by  
12 invading the legitimate role of the states through the manipulative  
13 process of federal mandates that are to a great extent unfunded; and

14 WHEREAS, The federal government has ceased to abide by a  
15 proper interpretation of the United States Constitution; and

16 WHEREAS, In 1977 the 65th Texas Legislature submitted to the  
17 federal government H.C.R. No. 31 requesting Congress to prepare and  
18 submit to the several states an amendment to the United States  
19 Constitution providing for a federal balanced budget, or  
20 alternatively requesting Congress to call a constitutional  
21 convention for the purpose of proposing such an amendment; and

22 WHEREAS, Congress has not acted to amend the United States  
23 Constitution to provide for a federal balanced budget or to  
24 otherwise impose fiscal restraints on the federal government; and

1           WHEREAS, It is the solemn duty of state legislatures to  
2 protect the liberty of the people and of future generations by  
3 proposing amendments to the United States Constitution that place  
4 clear restraints on federal power; and

5           WHEREAS, Article V of the United States Constitution  
6 authorizes the several state legislatures to restrict the power of  
7 the federal government through the amendment process; and

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

12           RESOLVED, That the 84th Texas Legislature hereby applies to  
13 Congress to call a convention under Article V of the United States  
14 Constitution for the limited purpose of proposing an amendment to  
15 the constitution to impose fiscal restraints on the federal  
16 government; and, be it further

17           RESOLVED, That, unless rescinded by a succeeding  
18 legislature, this application by the 84th Texas Legislature  
19 constitutes a continuing application in accordance with Article V  
20 of the United States Constitution until at least two-thirds of the  
21 legislatures of the several states have applied to Congress to call  
22 a convention for the limited purpose of proposing an amendment to  
23 the constitution to impose fiscal restraints on the federal  
24 government; and, be it further

25           RESOLVED, That the Texas secretary of state forward official  
26 copies of this resolution to the president of the United States, to  
27 the speaker of the House of Representatives and the president of the

1 Senate of the Congress of the United States, and to all members of  
2 the Texas delegation to Congress with the request that this  
3 resolution be officially entered in the Congressional Record as an  
4 application to Congress for a convention under Article V of the  
5 United States Constitution for the limited purpose of proposing an  
6 amendment to the constitution to impose fiscal restraints on the  
7 federal government; and, be it further

8         RESOLVED, That the Texas secretary of state forward official  
9 copies of this resolution to the secretaries of state and to the  
10 presiding officers of the legislatures of the several states with  
11 the request that they join this state in applying to Congress for a  
12 convention under Article V of the United States Constitution for  
13 the limited purpose of proposing an amendment to the constitution  
14 to impose fiscal restraints on the federal government.