

HOUSE No. 3318

The Commonwealth of Massachusetts

PRESENTED BY:

Peter J. Durant

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying resolution:

Resolutions calling on Article V of the United States Constitution for the convening of a convention of the states.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Peter J. Durant</i>	<i>6th Worcester</i>
<i>Angelo L. D'Emilia</i>	<i>8th Plymouth</i>
<i>Leah Cole</i>	<i>12th Essex</i>
<i>Donald R. Berthiaume, Jr.</i>	<i>5th Worcester</i>
<i>David T. Vieira</i>	<i>3rd Barnstable</i>
<i>Kevin J. Kuros</i>	<i>8th Worcester</i>
<i>Joseph D. McKenna</i>	<i>18th Worcester</i>
<i>Geoff Diehl</i>	<i>7th Plymouth</i>
<i>Leonard Mirra</i>	<i>2nd Essex</i>

HOUSE No. 3318

By Mr. Durant of Spencer, a petition (accompanied by resolution, House, No. 3318) of Peter J. Durant and others for the adoption of resolutions calling upon the Congress of the United States to convene a Constitutional Convention. Veterans and Federal Affairs.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

Resolutions calling on Article V of the United States Constitution for the convening of a convention of the states.

1 WHEREAS, THE FOUNDERS OF THE UNITED STATES OF AMERICA AND
2 AUTHORS OF THE CONSTITUTION OF THE UNITED STATES EMPOWERED STATE
3 LEGISLATORS WITH THE AUTHORITY TO GUARD AGAINST IMPRUDENT RULE
4 AND MISUSE OF POWER BY THE FEDERAL GOVERNMENT; AND

5 WHEREAS, THE FEDERAL GOVERNMENT HAS CREATED AN
6 UNSUSTAINABLE NATIONAL DEBT THROUGH WHICH PARTISAN GRIDLOCK HAS
7 REACH IMPASSE REGARDING PROPER AND PRUDENT SPENDING; AND

8 WHEREAS, THE FEDERAL GOVERNMENT HAS USURPED THE LEGITIMATE
9 ROLES OF THE STATES THROUGH A PROCESS OF LARGELY UNFUNDED FEDERAL
10 MANDATES; AND

11 WHEREAS, IT IS THE SOLEMN DUTY OF THE STATES TO PROTECT THE
12 LIBERTY OF OUR PEOPLE, PARTICULARLY FOR THE GENERATIONS TO COME, BY
13 PROPOSING AMENDMENTS TO THE CONSTITUTION OF THE UNITED STATES

14 THROUGH A CONVENTION OF THE STATES UNDER ARTICLE V OF THE UNITED
15 STATES CONSTITUTION TO PLACE CLEAR RESTRAINTS ON THESE AND RELATED
16 MISUSES OF POWER.

17 RESOLVED, THE GENERAL COURT OF THE COMMONWEALTH OF
18 MASSACHUSETTS HEREBY APPLIES TO CONGRESS UNDER THE PROVISIONS OF
19 ARTICLE V OF THE CONSTITUTION OF THE UNITED STATES, FOR THE CALLING OF
20 A CONVENTION OF THE STATES TO PROPOSE AMENDMENTS TO THE UNITED
21 STATES CONSTITUTION REQUIRING THAT IN THE ABSENCE OF A NATIONAL

22 EMERGENCY THE TOTAL OF ALL FEDERAL OUTLAYS MADE BY THE
23 CONGRESS FOR ANY FISCAL YEAR MAY NOT EXCEED THE TOTAL OF ALL
24 ESTIMATED FEDERAL REVENUES FOR THAT FISCAL YEAR, TOGETHER WITH ANY
25 RELATED AND APPROPRIATE FISCAL RESTRAINTS.

26 RESOLVED, THIS APPLICATION IS TO BE CONSIDERED AS COVERING THE
27 SAME SUBJECT MATTER AS THE PRESENTLY OUTSTANDING BALANCED BUDGET
28 APPLICATIONS FROM OTHER STATES AND SHALL BE AGGREGATED WITH THE
29 PRESENTLY OUTSTANDING BALANCED BUDGET APPLICATIONS OF OTHER
30 STATES FOR THE PURPOSE OF ATTAINING THE TWO-THIRDS OF STATES
31 NECESSARY TO REQUIRE THE CALLING OF AN ARTICLE V CONVENTION FOR
32 PROPOSING A BALANCED BUDGET AMENDMENT

33 RESOLVED, THIS APPLICATION CONSTITUTES A CONTINUING
34 APPLICATION IN ACCORDANCE WITH ARTICLE V OF THE UNITED STATES
35 CONSTITUTION UNTIL THE LEGISLATURES OF AT LEAST TWO-THIRDS OF THE

36 SEVERAL STATES HAVE MADE APPLICATIONS ON THE SAME SUBJECT OR THE
37 CONGRESS HAS PROPOSED AN AMENDMENT TO THE UNITED STATES
38 CONSTITUTION EQUIVALENT TO THE AMENDMENT PROPOSED IN THIS
39 RESOLUTION.