

SCR 10 — Constitutional Convention on Balanced Federal Budget

by Senators Atwater, Gaetz, Jones, Bennett, Haridopolos, Altman, Baker, Alexander, Thrasher, Gardiner, Negron, Oelrich, Richter, Storms, and Crist

Through this concurrent resolution, the Legislature makes application to and calls upon Congress to convene a constitutional convention under Article V of the U.S. Constitution for the sole purpose of proposing amendments to the Constitution to:

- Achieve and maintain a balanced federal budget; and
- Control the ability of Congress and federal executive agencies to require states to expend funds.

The concurrent resolution does not contain specific constitutional language; however, it proposes achieving and maintaining a balanced federal budget by:

- Requiring the balanced budget to account for all obligations of the federal government;
- Providing exceptions to the requirement for a balanced budget in cases of national emergencies or threats to national security;
- Imposing spending limits on the federal government;
- Establishing extraordinary vote requirements for new or increased federal taxes and other revenues; and
- Prohibiting federal mandates on states to impose taxes or fees.

With respect to controlling the ability of the federal government to require states to expend funds, the concurrent resolution proposes:

- Limiting the ability of Congress and federal executive agencies to pass legislation requiring states to spend money or take actions that require expenditure of money unless sufficient federal funds are provided on an ongoing basis to offset the full costs; and
- Limiting Congress' ability to dictate to the states requirements for the expenditure of federal funds, other than requirements that may be necessary to measure the outcomes underlying the expenditure of federal monies.

The concurrent resolution specifies that it supersedes all previous memorials applying to Congress for a constitutional convention for the purpose of proposing an amendment to the U.S. Constitution, including memorials adopted in 1976 and 1988. In addition, the concurrent resolution specifies that it is revoked if it is used for the purpose of calling or conducting a convention to amend the U.S. Constitution for a purpose other than requiring a balanced federal budget or limiting the ability of the federal government to require states to spend money.

Upon signature of the Legislature's presiding officers, a copy of the concurrent resolution will be dispatched to the President of the United States Senate, to the Speaker of the United States House of Representatives, to each member of the Florida delegation to the United States Congress, and to the presiding officers of each house of the several state legislatures.

Vote: Senate 28-12; House 70-42