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ONE HUNDRED FOURTEENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON THE JUDICIARY

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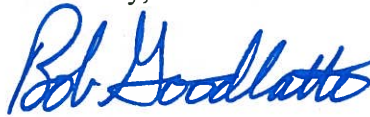
September 09, 2016

The Honorable Karen Haas
Clerk of the U.S. House of Representatives
U.S. Capitol, Room H154
Washington, D.C. 20515

Dear Madam Clerk,

Pursuant to section 3(c) of House Resolution 5 (114th Congress), I hereby designate the attached Memorial from the State of West Virginia, received by the House of Representatives in the year 2016, as purporting to be an application of the State legislature calling for a convention for proposing amendments to the Constitution of the United States pursuant to Article V, and request that you make it publicly available.

Sincerely,



Bob Goodlatte
Chairman

LEGISLATURE OF WEST VIRGINIA

ADOPTED

Regular SESSION, 2016

House Concurrent Resolution No. 36

By Delegates Overington, Ambler, et. al.

Adopted by the House of Delegates 3/11/2016

The Clerk to the Senate.

State J. Harrison

Clerk of the House of Delegates.

~~Amended~~
~~and~~
Adopted
~~Rejected~~

by the Senate March 12, 2016

The Clerk to the House of Delegates.

C. Barnes

Clerk of the Senate.

Senate amendments concurred in and resolution adopted as amended.

Senate amendments rejected and Senate requested to recede therefrom.

The Clerk to the Senate.

Clerk of the House of Delegates.

Certified Copy

State J. Harrison

Stephen J. Harrison
Clerk of the West Virginia House of Delegates
and Keeper of the Rolls of the Legislature

HOUSE CONCURRENT RESOLUTION 36

(By Delegates Overington, and (Et. Al)

February 8, 2016

1 Applying for an Article V Amendments Convention to Propose a Constitutional Amendment
2 permitting a calling of a convention of the states limited to proposing an amendment to the
3 Constitution of the United States requiring that in the absence of a national emergency
4 the total of all federal appropriations made by the Congress for any fiscal year may not
5 exceed the total of all estimated federal revenues for that fiscal year together with any
6 related and appropriate fiscal restraints.

7 Whereas, Article V of the Constitution of the United States provides authority for a
8 Convention to be called by the Congress of the United States for the purpose of proposing
9 amendments to the Constitution upon application of two thirds of the Legislatures of the several
10 states ("amendments convention"); and

11 Whereas, This application is to be considered as covering the same subject matter as the
12 presently outstanding balanced budget applications from other states, including, but not limited
13 to, previously adopted applications from Alabama, Alaska, Arkansas, Colorado, Delaware,
14 Florida, Georgia, Indiana, Iowa, Kansas, Louisiana, Maryland, Michigan, Mississippi, Missouri,
15 Nebraska, Nevada, North Dakota, New Hampshire, New Mexico, Nevada, North Carolina, Ohio,
16 Pennsylvania, South Dakota, Texas and Utah, and this application shall be aggregated with same
17 for the purpose of attaining the two thirds of states necessary to require the calling of a convention,
18 but shall not be aggregated with any applications on any other subject; and

19 Whereas, This application constitutes a continuing application in accordance with Article
20 V of the Constitution of the United States until the Legislatures of at least two thirds of the several

1 states have made applications on the same subject and supersedes all previous applications by
2 this Legislature on the same subject; therefore, be it

3 *Resolved by the Legislature of West Virginia:*

4 That as provided in Article V of the Constitution of the United States the Legislature of the
5 State of West Virginia herewith respectfully applies for an Amendments Convention to Propose a
6 Constitutional Amendment limited to proposing an amendment to the Constitution of the United
7 States requiring that in the absence of a national emergency the total of all federal appropriations
8 made by the Congress for any fiscal year may not exceed the total of all estimated federal
9 revenues for that fiscal year together with any related and appropriate fiscal restraints; and, be it

10 *Further Resolved*, That the amendments convention contemplated by this application shall
11 be entirely focused upon and exclusively limited to the subject matter of proposing for ratification
12 an amendment to the Constitution providing that in the absence of a national emergency the total
13 of all federal appropriations made by the Congress for any fiscal year may not exceed the total of
14 all estimated federal revenues for that fiscal year together with any related and appropriate fiscal
15 restraints; and, be it

16 *Further Resolved*, That this application constitutes a continuing application in accordance
17 with Article V of the Constitution of the United States until at least two thirds of the Legislatures of
18 the several states have made application for an equivalently limited amendments convention;
19 and, be it

20 *Further Resolved*, That the Clerk of the House of Delegates forward certified copies of this
21 resolution to the President and Secretary of the United States Senate, to the Speaker and
22 Secretary of the United States House of Representatives, the members of the West Virginia
23 Congressional Delegation, and to the presiding officers of each house of the several State
24 Legislatures, requesting their cooperation in applying for the amendments convention limited to
25 the subject matter contemplated by this application.