

## CONVENTION RESOLUTION 1

1 **Resolution creating rules of procedure for a future convention to propose a balanced budget**  
2 **amendment to the Constitution of the United States convened pursuant to Article V of the**  
3 **Constitution.**

### 4 **PREAMBLE**

5 Pursuant to Article V of the United States Constitution, we the delegates of the several  
6 sovereign States, grateful to Almighty God, do assemble in this Convention of the States, called by  
7 Congress, for the sole purpose of proposing an amendment to the Constitution.

### 8 **ARTICLE 1 – Subject of the Convention**

#### 9 **1.1 Convention Limited Authority**

10 This Convention is convened under the authority reserved to the state legislatures of the  
11 several States by Article V of the Constitution of the United States.

12 The only participants at this Convention are the several States represented by delegations  
13 duly selected in such manner as their respective legislatures have determined.

14 The Convention derives its authority from the applications adopted by at least two-thirds  
15 of the legislatures of the several States, and its authority is thereby limited to the subject of  
16 proposing an amendment to the Constitution of the United States regarding balancing the  
17 federal budget as specified in applications from at least two-thirds of the States. This  
18 Convention and these delegates have no authority to propose an amendment or amendments  
19 on any other subject.

#### 20 **1.2 Temporary Rules**

21 For the purposes of organizing the Convention, all Articles herein shall be adopted by a  
22 majority of the States voting, one vote per State, to serve as temporary rules for the  
23 Convention save for any Article which requires more than a simple majority shall require, by  
24 division, an equal majority of votes by the Convention. The Temporary Rules shall remain in

1 effect until the Rules Committee submits amendments to these rules which are subsequently  
2 approved by the Convention in the same manner as the Temporary Rules were approved.

3 **1.3 Initial Quorum**

4 The initial quorum for the Convention shall be a majority of the several States whose  
5 delegate or delegates are physically present at the time of the initial roll call of the Convention.

6 **1.4 Prohibition on Amending or Suspending**

7 Article 1 shall not be amended or suspended by the Convention.

8 **ARTICLE 2 - Officers of the Convention**

9 **2.1 List and Duties of Officers**

10 **2.1.1 Temporary President**

11 A temporary President shall be an individual selected by the State delegation from the  
12 host State to preside and not necessarily a member of the delegation.

13 Upon the initial assemblage of the Convention, the temporary President shall call the  
14 roll of the States, at which time the States shall present their credentials to the temporary  
15 President and name all delegates present.

16 **2.1.2 Permanent Officers**

17 The officers of the Convention shall be a President, a Vice President, a Secretary, a  
18 Sergeant-at-Arms, and a Parliamentarian. The President and Vice President shall be a  
19 member of a State delegation and elected by a simple majority vote of the States voting  
20 subject to Article 2.2. The Sergeant-at-Arms, the Parliamentarian and the Secretary shall be  
21 appointed by the President with the consent of the Convention, and shall not be a member  
22 of a delegation of a State. No more than one elected officer shall be from the same State.

23 **2.1.2.1 Duties of the President**

24 **2.1.2.1.1 Calling the Convention to Order**

25 The President or presiding officer shall take the chair each day at the hour to  
26 which the Convention shall convene and shall call the Convention to order and, except  
27 in the absence of a quorum as prescribed by these rules, shall proceed to business in  
28 the manner prescribed by these rules.

29 **2.1.2.1.2 Duty to Preserve Order and Decorum**

1           The President or presiding officer shall preserve order and decorum, and during  
2           debate, shall confine delegations and individual delegates to the question under  
3           discussion and shall have general control of the Convention chamber, unless otherwise  
4           ordered by the Convention, and in cases of disturbance or disorderly conduct on the  
5           floor or in the public areas outside the bar of the Convention, shall have the power to  
6           order the same cleared of any parties involved in such a disturbance or disorderly  
7           conduct.

8           **2.1.2.1.3 Authority to Enforce Rules**

9           The President or presiding officer may rule out of order, or discipline, any state or  
10          delegate for violating provisions of the rules of the Convention. Disciplinary action shall  
11          not inhibit the right of a state to cast a vote in the Convention or any committee of the  
12          Convention.

13          **2.1.2.1.4 Points of Order**

14          All questions of order shall be decided by the President or presiding officer,  
15          subject to appeal to the Convention. On every appeal, the President or presiding  
16          officer shall have the right to assign the reason for the decision. In case of such appeal,  
17          no State shall speak more than once. All questions and points of order shall be noted  
18          by the Secretary with the decision thereof.

19          **2.1.2.1.5 Committee Membership**

20          The President shall be an ex-officio member of all committees of the Convention  
21          but shall not be a voting member of any save for the Credentials Committee.

22          **2.1.2.2 Duties of the Vice President**

23          **2.1.2.2.1 Absence of the President**

24          In the event of the temporary absence or inability to preside by the President, the  
25          Vice-President shall preside over the Convention in the same manner as the President.

26          **2.1.2.2.2 Convention Manager**

27          The Vice President shall serve as the manager of the Convention with the duties to  
28          provide necessary facilities, staff, audio visual equipment, and document reproduction  
29          at the direction of the Convention and the committees. The Vice President may create

1 a committee to advise the Vice President on these matters.

2 **2.1.2.3 Duties of the Secretary**

3 **2.1.2.3.1 General Duties of the Secretary**

4 The Secretary shall be custodian of the records of the Convention and shall  
5 perform the customary duties of clerks or secretaries of deliberative assemblies and  
6 such other duties as shall be ordered by the Convention.

7 **2.1.2.3.2 Journal Record of Proceedings**

8 The Secretary shall keep a journal of the proceedings of the Convention and shall  
9 publish an electronic copy from the proceedings of the previous day. The attested  
10 "Journal of Proceedings" provided for in 2.1.2.3.6 below shall be the official legal  
11 record of the Convention.

12 **2.1.2.3.3 Verbatim Record of Proceedings**

13 The Secretary shall cause to be produced a verbatim record of the daily floor  
14 sessions of the Convention and shall likewise cause verbatim records to be produced of  
15 each committee meeting convened in the course of the Convention. The verbatim  
16 records required herein shall be published in electronic form and be made available to  
17 the public via the Convention's website and any other means as soon as they are  
18 reasonably available.

19 **2.1.2.3.4 Numbering of Proposals**

20 The Secretary shall give to every proposal when introduced a number, and the  
21 numbers shall be in sequential order.

22 **2.1.2.3.5 Preparation of Calendar, Reports, and Amendments**

23 The Secretary shall prepare and provide to each delegate each day a calendar of  
24 the business of the Convention, as provided by these rules, and shall arrange and  
25 publish all committee reports and all amendments offered to pending amendments.

26 **2.1.2.3.6 Preservation of Records**

27 As soon as possible after the final adjournment of the Convention, the Secretary  
28 shall prepare a "Journal of Proceedings" of the Convention, which shall be attested to  
29 by the President and the Vice President. The Secretary shall cause the journal to be

1 both physically and electronically published in full. The Secretary shall cause the audio  
2 and video records of the Convention to be compiled and preserved and shall file the  
3 journal and all audio and video records with the Archivist of the United States for  
4 keeping in the manner provided by law for the records, books, video and audio  
5 records, documents, and other papers of the Convention. Likewise, the same records  
6 shall be filed with the Library of Congress, and with the several States in a manner  
7 directed by the Convention. The Secretary shall additionally send copies of all such  
8 records to the Speaker of the United States House of Representatives, the President of  
9 the United States Senate, the Clerk of the United States House of Representatives and  
10 the Secretary of the United States Senate.

11 **2.1.2.3.7 Necessary Deputies and Staff**

12 The Secretary may secure necessary staff and assign deputies to fulfill such duties  
13 as may arise in the course of the Convention.

14 **2.1.2.3.8 Vote Tally**

15 Whenever an issue is considered for a vote of the States, the Secretary (or Clerk)  
16 shall call the roll, note how each State voted (Aye, Nay, Divided, or Pass), tally the  
17 votes, and present the results to the President.

18 **2.1.2.4 Duties of the Parliamentarian**

19 **2.1.2.4.1 Qualifications**

20 The Chief Parliamentarian and any Assistant Parliamentarians shall be a current or  
21 former member of the Mason's Manual Commission. The Chief Parliamentarian shall  
22 have previously served as the Chief or Head Parliamentarian of a state legislative body.  
23 A Parliamentarian shall not be a delegate. Each committee shall be assigned an  
24 Assistant Parliamentarian upon request to the Chief Parliamentarian, who will make  
25 such assignment.

26 **2.1.2.4.2 Duties**

27 Upon request, the Parliamentarian shall advise the presiding officer of the  
28 Convention or a committee regarding questions of parliamentary procedure or the  
29 rules of the Convention.

1           **2.1.2.5 Duties of the Sergeant-at-Arms**

2           **2.1.2.5.1 Convention**

3           Subject to the direction of the President or presiding officer, the Sergeant-at-Arms  
4 shall enforce the rules of the Convention. The Sergeant-at-Arms shall be charged with  
5 enforcing the rules as to admission on the Convention floor, only delegates and  
6 designated staff are permitted to be on the Convention floor without leave of the  
7 body.

8           **2.1.2.5.2 Committees**

9           Subject to the direction of the committee Chair, the Sergeant-at-Arms shall  
10 enforce the rules to admission of the committee.

11           **2.1.2.5.3 Deputies**

12           The Sergeant-at-Arms, under the direction of the Secretary may arrange for  
13 deputies to fulfill the duties of the Sergeant-at-Arms.

14           **2.1.3 Vacancy of an Officer**

15           In the event of a vacancy of the President, the Vice President shall temporarily rise to  
16 President and conduct an election for a new permanent President. After the election of the  
17 President, the temporary President shall return to the position of Vice President unless  
18 elected President, and the President shall preside. In the event of a vacancy of any other  
19 Office, the Office shall be filled in the same manner as prescribed in Article 2.2 with the  
20 highest-ranking officer presiding over the election.

21           **2.2 Election of the Officers**

22           The election of the President and Vice President shall be conducted by the temporary  
23 President. Nominations shall be made from the floor. Voting shall be by roll call vote by the  
24 States with one vote per State. Voting shall continue with successive rounds, with the  
25 individual receiving the fewest votes removed from consideration, until an individual receives a  
26 simple majority of the States attending and voting. After the election of the officers, the  
27 temporary President shall retire and the President shall preside.

28           **ARTICLE 3 – Quorums and Voting**

29           **3.1 Quorum**

1 Subject to Article 1.3, a quorum for all committee or voting sessions of the Convention  
2 shall be a majority of the States present and for all committee meetings shall be a majority of  
3 the members present. At least one delegate from a State who is physically present at a quorum  
4 call during a committee or voting session of the Convention shall result in the presence of that  
5 State for the purposes of establishing or determining the presence of a quorum.

6 **3.2 Voting**

7 **3.2.1 Voting by States**

8 All voting at the Convention or in a committee shall be by State with each State having  
9 one vote, without apportionment or division. Each State shall determine the internal voting  
10 and quorum rules for casting the vote of its delegation.

11 **3.2.2 Majority Vote**

12 A majority vote of the quorum shall prevail on all issues before the Convention and in all  
13 committees, save for any vote to create a rule which requires a majority greater than a  
14 simple majority, which shall then require an equal majority to prevail.

15 **3.2.3 Proposing an Amendment for Ratification**

16 An affirmative vote of a majority of States attending and voting shall be necessary to  
17 propose an amendment for ratification by the several States.

18 **ARTICLE 4 – Committees**

19 **4.1 Rules Committee**

20 After the initial session of the Convention, the Rules Committee shall organize.

21 **4.1.1 Purpose of the Committee**

22 The committee shall review the rules of the Convention and make recommendations to  
23 the Convention regarding the addition of committees, the duties of the Officers, and  
24 procedures.

25 **4.1.2 Seating and Participation**

26 One delegate has the right to occupy the seat of the State and speak and vote on behalf  
27 of the State and the balance of the delegation may be seated in the same location, space  
28 provided, and the State may substitute the delegate in the seat of the State at its discretion.

29 **4.1.3 Chair**

1           The committee shall elect a Chair in the same voting manner the Officers are elected.  
2           The Chair shall preside over the committee but not vote save for the case of a tie.

3           **4.1.4 Vice Chair**

4           The committee shall elect a Vice Chair in the same voting manner the Officers are  
5           elected. The Vice Chair shall preside over the committee in the absence of the Chair and in  
6           that role not vote save for the case of a tie. The State from which the Vice Chair is a delegate  
7           may appoint another representative to the committee when the Vice Chair is serving as  
8           Chair.

9           **4.1.5 Sub-Committees**

10           The committee may divide into sub-committees with fewer members than the  
11           committee and shall elect a Chair and Vice Chair in the same manner as the committee. The  
12           Chair of the committee shall choose to either be a voting member of a sub-committee or be  
13           a non-voting ex-officio member of all sub-committees with the Chair's State selecting  
14           another delegate to be a voting member of a sub-committee.

15           **4.2 Amendment Committee**

16           After the initial session of the Convention, the Amendment Committee shall organize.

17           **4.2.1 Purpose of the Committee**

18           The committee shall prepare proposed amendment language which shall be transmitted  
19           to the Convention for its consideration and debate. Any amendment language to be  
20           presented to the Convention by a State for its consideration by the Convention must  
21           originate in the committee. After this committee transmits its report (recommended  
22           amendment language) to the Convention, the committee shall not meet unless directed by  
23           the Convention. The Convention may amend the report of the committee.

24           **4.2.2 Seating and Participation**

25           One delegate has the right to occupy the seat of the State and speak and vote on behalf  
26           of the State and the balance of the delegation may be seated in the same location, space  
27           provided, and the State may substitute the delegate in the seat of the State at its discretion.

28           **4.2.3 Chair**



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12          Chair of the committee shall choose to either be a voting member of a sub-committee or be  
13          a non-voting ex-officio member of all sub-committees with the Chair's State selecting  
14          another delegate to be a voting member of a sub-committee.

15          **4.2.6 Specific Issues Before the Committee**

16               **4.2.6.1 State Participation**

17               After organizing, the first order of business shall be providing each State attending  
18               the Convention equal opportunity and time to present to the committee its opinion,  
19               findings, and recommendations regarding the language and content of the amendment  
20               subject, including specific amendment language. All presentations are subject to Article 1.

21               **4.2.6.2 Expert Testimony**

22               Expert testimony before the committee by those not a participant of the Convention  
23               shall be limited to the subject of the Convention and shall be by invitation. The Chair shall  
24               determine the experts and may create a sub-committee to recommend such. The  
25               committee, by a majority vote, may include additional experts.

26          **4.3 Credentials Committee**

27               **4.3.1 Purpose of the Committee**

1           The committee shall verify the credentials of the delegations after the Opening Session  
2           and settle disputes regarding credentials. The decision of the committee may be appealed to  
3           the Convention.

4           **4.3.2 Composition**

5           The committee shall be comprised of the elected officers of the Convention and the  
6           Chairs of the Rules and Amendment Committees. Each may appoint a substitute to attend a  
7           committee meeting. The committee shall select a member to serve as Chair.

8           **4.3.3 State Resolutions**

9           The primary source of verification of the credentials of a delegation shall be the  
10          resolution passed by the legislature of the State determining how the delegation should be  
11          chosen.

12          **4.3.4 Recall Authority of the States**

13          The committee shall recognize and respect the authority of a State to recall and  
14          reappoint members of its delegation pursuant to the resolution approved by their legislature  
15          when it appointed its delegation.

16          **4.4 Additional Committees**

17          Additional committees may be created by a majority vote of the Convention provided the  
18          committee's function does not create a new rule for the Convention and if so, approval shall be  
19          first received from the committee on Rules. If the committee is comprised of delegates, no  
20          committee shall have more than one delegate from the same State.

21          **4.5 Committee Debate**

22          The method of participation in committee debate shall be the same method as used in  
23          general session.

24          **ARTICLE 5 – Sessions of the Convention**

25          **5.1. Composition**

26          The Convention shall be composed of the States from which the legislature has sent a  
27          delegation. Recognition by the presiding officer shall be the name of the State and may  
28          additionally recognize the individual by name.

29          **5.2 Rules and Procedures**

1 Sessions of the Convention shall be governed by the rules of the Convention and when  
2 silent, the rules of parliamentary practice as stated in Mason's Manual of Legislative Procedure,  
3 current edition at the time of the Convention.

4 **5.3 Seating and Participation**

5 One delegate has the right to occupy the seat of the State and speak and vote on behalf of  
6 the State and the balance of the delegation may be seated in the same location, space  
7 provided, and the State may substitute the delegate in the seat of the State at its discretion.

8 **5.4 Sessions**

9 **5.4.1 Time of Meeting and Procedure**

10 The Convention shall meet at 9:00 a.m. unless otherwise ordered by the Convention.

11 **5.4.2 Reading of the Journal**

12 Immediately after the President or presiding officer shall have taken the chair and the  
13 States in their seats, the journal of the preceding day shall be read by the Secretary unless  
14 dispensed with by the consent of the Convention.

15 **5.4.3 Order of Business**

16 At meetings of the Convention, the order of business shall be as follows:

- 17 1. Call Convention to Order
- 18 2. Prayer by an individual approved by the President.
- 19 3. Pledge
- 20 4. Roll Call.
- 21 5. Reading of the Journal.
- 22 6. Presentation of petitions, memorials, and remonstrances.
- 23 7. Reports of committees.
- 24 8. Introduction and first reading of proposals.
- 25 9. Reference of proposals.
- 26 10. Motions and resolutions.
- 27 11. Orders of the day.
- 28 12. Committee notices.

29 **5.4.4 Prohibitions on the actions of the Convention**

1           **5.4.4.1 Amending Convention Rules**

2           The Convention shall not amend the rules of the Convention until after the Rules  
3           Committee has submitted its initial recommendation to the Convention.

4           **5.4.4.2 Proposing and Amending Amendment Language**

5           The Convention will not directly propose for debate specific amendment language  
6           until after the Amendment Committee has submitted its initial recommendation to the  
7           Convention.

8           **5.4.5 Voting Process**

9           **5.4.5.1 Name of the State**

10          Voting shall be in the name of the State without disclosure of the delegation's  
11          internal results. After the official tally of the vote, any State may rise and present for the  
12          record the internal vote tally of its delegation.

13          **5.4.5.2 Votes Cast**

14          Votes shall be cast as Aye, Nay, Divided, or Pass. If a State passes and does not  
15          eventually vote, the State shall not be considered as voting. If a State votes "Divided,"  
16          the State indicates that the State's delegation is divided and is unable to cast an Aye or  
17          Nay vote.

18          **5.4.5.3 Request for Leave**

19          Prior to any vote, a State may ask for time to consult with its delegation on the issue.  
20          The request is not debatable and shall be granted by the presiding officer with the period  
21          of the leave determined by the presiding officer.

22          **5.4.6 Additional Rules of Procedure**

23          **5.4.6.1**       Every State, rising to speak, shall address the President or presiding officer;  
24          and while the State shall be speaking no one shall pass between them.

25          **5.4.6.2**       Of two States rising to speak at the same time, the President or presiding  
26          officer shall name the one who shall first be heard.

27          **5.4.6.3**       A motion made and seconded, shall be repeated; and if written, as it shall be  
28          when any member shall so require, shall be read aloud by the Secretary or transmitted to  
29          each delegate's pre-designated electronic device before it shall be debated. No motion,

1 other than a procedural motion, shall be in order unless germane to both the subject  
2 matter specified in the State applications on which Congress called the Convention and to  
3 the subject matter specified in the Convention call.

4 **5.4.6.4** A motion may be withdrawn at any time before the vote upon it shall have  
5 commenced.

6 **5.4.6.5** When a debate shall arise upon a question, no motion, other than to amend  
7 the question, to commit it, or to postpone the debate, shall be received.

8 **5.4.6.6** A question that consists of one or more propositions shall, at the request of  
9 any State, be divided and put separately as to each proposition.

10 **5.4.6.7** A motion to reconsider a matter that has been determined by a majority  
11 may be made, with leave unanimously given, on the same day on which the vote passed;  
12 but otherwise not without one day's previous notice; in which last case, if the Convention  
13 agree to the reconsideration, the Convention or, by the Convention's leave, the President  
14 or presiding officer shall assign a future day for the purpose.

15 **5.4.6.8** A delegate may be called to order by another delegate, as well as by the  
16 President or presiding officer, and may be allowed to explain his or her conduct or any  
17 expressions supposed to be reprehensible.

18 **5.4.6.9** All questions of order shall be decided by the President or presiding officer,  
19 subject to appeal to the Convention, but without debate.

20 **5.4.6.10** Upon a question to recess for the day, which may be made at any time, if it  
21 be seconded, the question shall be put without debate.

22 **5.4.6.11** No delegate shall be absent from the Convention, so as to interrupt the  
23 representation of his or her State, without leave.

## 24 **ARTICLE 6 – General and Miscellaneous Provisions**

### 25 **6.1 Costs of the Convention**

26 The costs related to the Convention shall be divided equally among the States attending  
27 the Convention and the costs related to the travel, maintenance and provisioning of each  
28 State's delegation and staff shall be borne entirely by the State.

### 29 **6.2 Open Meetings**

CONVENTION RESOLUTION 1

1           Every official session of the Convention including committee and sub-committee meetings  
2 shall be held in full view of the public. Every official session of the Convention, including  
3 committee and subcommittee meetings, shall be streamed live via a website provided by the  
4 Convention and shall be recorded and archived under the direction of the Secretary.

5           **6.3 Adjournment**

6           The Convention shall adjourn promptly after completion of the business contained within  
7 the call of the Convention.