

**AUTHORIZED CALL
BY THE WEST VIRGINIA STATE LEGISLATURE
ON THE UNITED STATES CONGRESS INSTRUCTING CONGRESS
TO CONVENE A FEDERAL CONVENTION TO BE TITLED
THE BALANCED BUDGET AMENDMENT CONVENTION**

**THIS AUTHORIZED CALL ALSO DEFINES THE AGREEMENT
THE WEST VIRGINIA STATE LEGISLATURE IS ENTERING INTO
BETWEEN ITSELF AND OTHER CALLING STATES**

To: BOTH HOUSES OF UNITED STATES CONGRESS

UNITED STATES SENATE:

President of the Senate, United States Vice President
Majority Leader Senator
Minority Leader Senator
President Pro Tempore Senator
Republican Whip Senator
Democratic Whip Senator

(Deliver this Official Call to every current leader and member of the United State Senate at Washington, DC)

HOUSE OF REPRESENTATIVE:

Speaker of the House Representative
House Majority Leader Representative
House Majority Whip Representative
House Minority Leader Representative
House Minority Whip Representative

(Deliver this Official Call to every current leader and member of the United State House of Representatives at Washington, DC)

From: THE STATE LEGISLATURE OF THE STATE OF WEST VIRGINIA

The Legislature of the State of WEST VIRGINIA hereby Calls on the United States Congress instructing Congress to convene a Federal Convention called the BALANCED BUDGET AMENDMENT Convention under the authority reserved to the States in Article V of the United States Constitution. Article IV, Section 4 guarantees to every State a Republican form of Government which gives each State equal standing when Calling for a Constitutional Convention. Article V reserves to the Several States the right to Call for a Federal Constitutional Convention for the purpose of amending the United States Constitution when Congress and/or the Courts refuse to address an egregious wrong suffered by the people.

The States *alone* have the authority to “limit” the agenda and authority of a Federal Convention. The States alone can Call for a “Single Issue” Convention by agreeing among themselves the purpose, terms, conditions, duration, and agenda for the Convention. Congress does not have the authority to define a “Single Issue” Convention. Congress’ authority, under Article V of the United States Constitution, empowers it to convene a Convention as Called for and defined by the Several States. The Several States alone have the authority to enforce the terms and/or conditions set forth in this Agreement at the BALANCED BUDGET AMENDMENT Convention.

The BALANCED BUDGET AMENDMENT Convention will be a “Single Issue” Federal Convention as defined in this Legislative Call on the United States Congress and in this binding Agreement between the Several States. The delegates summoned to this Convention by Congress will have the authority to decide only one issue, should the BALANCED BUDGET AMENDMENT, as herein written, be sent to Congress with instructions to send the Amendment back to the Several States for ratification? The delegates at the BALANCED BUDGET AMENDMENT Convention will have no authority to change the wording of the proposed Amendment, neither are they authorized to deliberate on or discuss any other subject matter or issue at the Convention. The purpose, terms and/or conditions that will govern the agenda and affairs of the BALANCED BUDGET AMENDMENT Convention are as follows:

THE PURPOSE OF THE CONVENTION

The *only* purpose for convening the BALANCED BUDGET AMENDMENT Convention is for the State Delegations, representing the Several States, to decide if the BALANCED BUDGET AMENDMENT, as herein written, should be sent to the United States Congress with instructions for Congress to send the Amendment to the Several States for ratification? Absolutely no other business is authorized at this Convention.

CONVENTION RULES OF ORDER

The “Convention Rules of Order” that all Delegates and State Delegations are required to follow as a condition of participating at the BALANCED BUDGET AMENDMENT Convention are described in this Legislative Call on Congress. From time to time, in order to facilitate Convention business, the Convention Chairman may require the Convention to follow “Robert’s Rules of Order” when a specific Rule of Order is not defined in this Legislative Call. The Delegates and State Delegations are required to honor the Convention Chairman’s instructions when applying Convention Rules of Order and/or Roberts Rules of Order.

BALANCED BUDGET AMENDMENT COMMITTEE

The BALANCED BUDGET AMENDMENT Committee is the citizens group that founded the BALANCED BUDGET AMENDMENT Initiative. This Committee will be responsible for pre-Convention planning and organization. The Chairman and Vice Chairman of the BALANCED BUDGET AMENDMENT Committee will be Ex-Officio (without voting rights) members of the Convention. They can be called upon by the Convention Chairman to clarify the BALANCED BUDGET AMENDMENT legislative strategy for the Delegates, provide progress reports in the States and also be available for questions and answers from Delegates at the Convention. They will be subject to the terms and/or conditions of this Legislative Call and Agreement between the States.

If they are also appointed as Delegates by their State Legislatures, then they will be entitled to voting privileges as Delegates at the Convention. The Chairman of the BALANCED BUDGET AMENDMENT Committee is R. C. “Kacprowicz” Casper.

If the Convention votes in favor of the Amendment, the BALANCED BUDGET AMENDMENT Committee will be responsible for post-convention planning and organization during the ratification process.

FUNDING THE CONVENTION AND STATE DELEGATIONS

The State Legislatures that send Delegates to the BALANCED BUDGET AMENDMENT Convention shall be responsible for providing monies necessary for their State Delegations to participate at the Convention. The

amounts each State Delegation will require will be decided by each State Legislature. Other expenses or costs necessary to fund the Convention are to be shared by the Calling States equally. From time to time the Convention Chairman will notify the State Delegations what monies will be necessary to carry on the business of the Convention.

FUNDING FOR “PRE AND POST-CONVENTION PLANNING AND ORGANIZATION”

Each State Legislature making a Call on Congress to convene the BALANCED BUDGET AMENDMENT Convention will be asked to share expenses for “pre-Convention planning” and “pre-Convention organization”. If the Convention votes to send the BALANCED BUDGET AMENDMENT to Congress to be ratified by the States, then the BALANCED BUDGET AMENDMENT Committee will ask the Calling States to help fund post-convention planning and organization to cover expenses for the ratification process.

DELEGATES SUMMONED BY CONGRESS

Congress has the authority, under Article V, to summon Delegates from the Several States to the BALANCED BUDGET AMENDMENT Convention. Congress is hereby directed to summon to the Convention the appropriate number of Delegates that each State is entitled to immediately after two thirds of the States complete their Call directing Congress to convene the BALANCED BUDGET AMENDMENT Convention. The number of Delegates to be summoned to the Convention should be equal to the number of members each State has in the House of Representatives and in the Senate of the United States Congress.

DELEGATES AND STATE DELEGATIONS

Only State Delegates summoned by Congress to the BALANCED BUDGET AMENDMENT Convention and appointed by their State Legislatures to form State Delegations to represent their respective States are authorized to attend and speak at the BALANCED BUDGET AMENDMENT Convention. Each State Legislature has the responsibility to select, from within its State, individual Delegates who will represent its State at the Convention. The number of Delegates selected by a State Legislature can be no greater than the number of Delegates summoned by Congress from its State. Each State Delegation must select a Delegate from within its delegation to be its Spokesman at the Convention. Only a Delegation’s Spokesman will be recognized by the Convention Chairman.

THE PRE-CONVENTION “ACTING CONVENTION CHAIRMAN” AND “ASSISTANT ACTING CONVENTION CHAIRMAN”

The Chairman and Vice Chairman of the BALANCED BUDGET AMENDMENT Committee will have exclusive authority to complete all pre-convention planning and organization for the BALANCED BUDGET AMENDMENT Convention. They will perform their duties under the titles “Acting Convention Chairman” and “Assistant Acting Convention Chairman” respectfully. They will also be available to State Legislatures to assist with their Legislative Calls and pre-Convention planning.

The Chairman and Vice Chairman of the BALANCED BUDGET AMENDMENT Committee will also be responsible for post-convention planning and organization if the Convention votes to send the BALANCED BUDGET AMENDMENT to Congress to be ratified by the States.

VOTING BY DELEGATES IN STATE DELEGATIONS

It is recommended that a simple majority of the Delegates within each State Delegation be required to decide a State Delegation’s vote at the Convention. A quorum within each State Delegation will consist of one Delegate. The business of the Convention and voting will not be delayed if a State Delegation does not cast a vote during a roll call.

QUORUM REQUIRED FOR CONDUCTING BUSINESS AND VOTING AT THE CONVENTION

Each State Delegation will have one vote on all matters that are to be decided by the Convention. A simple majority vote by the State Delegations at the Convention is required to decide the outcome of all business brought before the Convention for a vote, including whether or not the BALANCED BUDGET AMENDMENT, as herein written, should be sent to the Several States, via Congress, for ratification. A quorum at the Convention for the purpose of conducting business and voting will consist of 17 State Delegations.

CLOSED DELIBERATIONS AT THE CONVENTION

The BALANCED BUDGET AMENDMENT Convention will be closed to all media and news groups. Only delegates appointed by their State Legislatures and the Chairman and Vice Chairman of the BALANCED BUDGET AMENDMENT Committee will be authorized to enter and speak at the Convention. No visitors, reporters, government officials, professionals or inquirers, of any kind, will be permitted to enter the Convention facilities. Unauthorized visitors will be escorted by the Sergeant of Arms out of the Convention. After the vote by the State Delegations is taken to determine if the BALANCED BUDGET AMENDMENT will be sent to the Several States, via Congress, for ratification, the Chairman of the Convention will call a special press conference to announce the Convention's decision. Within 30 days from the special press conference the Chairman will make available to the public the records kept by the Convention during its proceedings.

STATE LEGISLATURES NOT AUTHORIZING THIS CALL FOR THE BALANCED BUDGET AMENDMENT CONVENTION

State Legislatures that did not authorize this Call for the BALANCED BUDGET AMENDMENT Convention and yet agree to send delegates representing their State agree to follow the terms and/or conditions set forth in this Agreement and Legislative Call. They need to pay particular attention to the "Convention's Rules of Order" described in this Agreement and the prohibitions in the section titled "Prohibitions for Delegates, State Delegations and/or Convention Officials at the Convention". These non-calling States must notify the "Acting Convention Chairman" before the Convention convenes of their intention to attend the Convention so accommodations can be completed for their Delegations. In order to receive Convention Passes, all Delegates attending the Convention, will be required to sign an agreement promising to abide by the terms and/or conditions in this Legislative Call and Agreement.

NO WEAPONS ALLOWED AT THE CONVENTION

Delegates and BALANCED BUDGET AMENDMENT Committee officials will not be allowed to bring into the BALANCED BUDGET AMENDMENT Convention any weapons or objects that can be construed as weapons.

PRESENTING ARGUMENTS AT THE CONVENTION BY STATE DELEGATIONS

Each State Delegation will be allotted a maximum of 60 minutes for presenting its argument(s) at the Convention for or against sending the BALANCED BUDGET AMENDMENT to the United States Congress with instruction for Congress to send the Amendment to the Several States for ratification. Only Delegates who have been officially selected by their State Legislatures and Ex-Officio members of the Convention are authorized to speak before the Convention. Each State Delegation can use one or more of its Delegates to present its position(s). However, the total time allotted for each State Delegation's speaker, is 60 minutes, which includes any time that is necessary to replace one Delegate with another. The Chairman of the BALANCED BUDGET AMENDMENT Committee will also be limited to 60 minutes during his speaking segment. Speakers cannot reserve portions of their time to another time or day. Speakers must complete their arguments in the 60 minute segment assigned to them.

The order each State Delegation will follow when presenting their position(s) will be according to when each State completed its Legislative Call on Congress, or when it notified the "Acting Convention Chairman" that it intends to attend the Convention even though it may not complete a Legislative Call on Congress. The State Delegation presentations will be scheduled in the following manner: the first State making a Call on Congress will go first; the first State notifying the "Acting Convention Chairman" that it plans to attend will go second. The second State making a Call on Congress will go third; then the second State notifying the "Acting Convention Chairman" will go

fourth, and so forth until all States wanting to present their positions have had an opportunity to do so. The Convention Chairman can rearrange the schedule if any conflicts arise at the Convention. The last speaker to be scheduled at the Convention for a 60 minute segment will be the Chairman of the BALANCED BUDGET AMENDMENT Committee.

DUTIES OF THE “ACTING CONVENTION CHAIRMAN”

The duties of the “Acting Convention Chairman include:

- 1) organize a pre-Convention support group for assisting Calling States with their Legislative Calls and non-calling States with their intentions to attend the Convention
- 2) set up an BALANCED BUDGET AMENDMENT Committee checking account
- 3) use generally accepted accounting principles when keeping records of all receipts and expenditures
- 4) provide financial reports and minutes of pre-convention activities as requested by States that are funding pre-convention operations
- 5) keep minutes of all business meetings of the BALANCED BUDGET AMENDMENT Committee
- 6) determine the budget that will be needed for pre-convention planning and organizing and notify each State Legislature of its share of the expenses
- 7) assist the Calling States and Attending States with their pre-convention planning
- 8) assist the Calling States with their Legislative Calls on Congress
- 9) after the BALANCED BUDGET AMENDMENT Convention has been convened call the Convention to order
- 10) invite nominations from the State Delegations present at the Convention to fill the “Convention Chairman’s” position (the maximum number of nominees permitted is five and only one nominee from any one State Delegation is permitted)
- 11) take a roll call from the State Delegations for the nominee(s)
- 12) declare the winner based on the nominee who has received the most votes (a plurality of State Delegations). Each State Delegation will have one vote
- 13) officiate the installation of the “Convention Chairman” at the Convention by having the Chairman place his/her right hand on the Bible while repeating the following oath

“I solemnly promise to officiate the office of Convention Chairman for the BALANCED BUDGET AMENDMENT Convention according to the terms and/or conditions set forth in the Legislative Calls from the Several States to the best of my ability, so help me God”.

In the event the “Acting Convention Chairman” is nominated and elected to the Convention Chairman position, the “Assistant Acting Convention Chairman” will conduct the installation ceremony for the Convention Chairman.

ELECTION, AUTHORITY AND DUTIES OF CONVENTION OFFICIALS

CONVENTION CHAIRMAN: - The “Convention Chairman” is the senior official at the BALANCED BUDGET AMENDMENT Convention. He/she will have the requisite authority to oversee all activities at the Convention, including the nomination and election of all officials. The Convention Chairman’s duties include:

- 1) organize and oversee all business and activities at the Convention
- 2) organize and officiate all nominations, elections and installations of officials at the Convention (this will be the Convention Chairman’s first order of business)
- 3) organize and officiate all nominations, elections and installations of official positions that may become vacant at the Convention
- 4) oversee the enforcement of all Convention Rules
- 5) oversee the enforcement of the terms and/or conditions (herein described) of this Call and Agreement by the States

- 6) oversee the investigation of alleged and/or actual violations of this Agreement as defined in the section titled "Violating this Agreement"
- 7) bring before the Convention all matters that require a vote
- 8) bring before the Convention the financial needs of the Convention and time lines for when these monies are needed
- 9) cut off motions or discussions by State Delegations before the Convention if and when it seems appropriate
- 10) recognize the Spokesman within a State Delegation for the purpose of addressing a matter of importance to the Spokesman's Delegation (the Convention Chairman will have full authority to determine if a matter brought before the Convention by the Spokesman is appropriate for further discussion and/or if a decision by the Convention is necessary)
- 11) keep the business of the Convention moving forward expeditiously, cutting off all motions and discussions when it appears one or more Delegates are trying to hinder, delay or stop the work of the Convention
- 12) keep the business of the Convention focused on one objective which is, should the Convention send the BALANCED BUDGET AMENDMENT to Congress instructing Congress to send it to the Several States for ratification?
- 13) instruct Convention Officials (Assistant Convention Chairman, Secretary, Financial Officer, Executive Administrator, Sergeant at Arms, and Deputies) on their duties at the Convention
- 14) officiate and remedy any and all problems that may develop at the Convention
- 15) oversee the design and production of "Official" Convention Badges for the Sergeant at Arms and Deputies
- 16) notify all State Legislatures of the decision the Convention made as to whether or not the BALANCED BUDGET AMENDMENT should be sent to Congress instructing Congress to send it to the States for ratification?
- 17) if the State Delegations voted to send the Amendment to the States for ratification, include the Convention's recommendation to the United States Congress as to whether it should be ratified by State Conventions or State Legislatures
- 18) declare the BALANCED BUDGET AMENDMENT Convention closed after the State Delegations have decided if the BALANCED BUDGET AMENDMENT should be sent to Congress instructing Congress to send it to the States for ratification?
- 19) arrange a Special News Conference to announce the decision by the BALANCED BUDGET AMENDMENT Convention
- 20) make available the proceedings of the Convention to the public 30 days after the Convention is closed

The first order of business for the "Convention Chairman" will be to open the Convention to nominations from State Delegations present for each of the following Convention Officials; one Assistant Convention Chairman, one Secretary, one Financial Officer, one Executive Administrator, one Sergeant at Arms and ten Deputies (the maximum number of nominees permitted for each Convention Official position is five. Only one nominee for each Convention Official position is permitted from any one State Delegation. The nominee with a plurality of votes from the State Delegations will be the winner). The "Convention Chairman" can call for nominations for more than 10 Deputies if and when circumstances warrant.

ASSISTANT CONVENTION CHAIRMAN - The "Assistant Convention Chairman" duties include:

- 1) be amenable to the "Convention Chairman"
- 2) provide assistance to the "Convention Chairman" in all matters pertaining to the business of the Convention
- 3) monitor activities at the Convention and report to the "Convention Chairman" violations or possible violations of the terms and/or conditions of this Legislative Call and Agreement
- 4) perform the duties of the "Convention Chairman" when called upon by the Chairman or when the Chairman is unable to perform the duties of his/her office
- 5) the "Assistant Convention Chairman" will take the following oath, administered by the Convention Chairman, while placing his/her right hand on the Bible

“I solemnly promise to officiate the office of Assistant Convention Chairman for the BALANCED BUDGET AMENDMENT Convention according to the terms and/or conditions set forth in the Legislative Calls from the Several States to the best of my ability, so help me God”.

SECRETARY - The “Secretary’s” duties include:

- 1) keep official minutes of all proceedings at the Convention
- 2) monitor activities at the Convention and report to the Convention Chairman violations or possible violations of Convention Rules and of the terms and/or conditions of this Legislative Call and Agreement
- 3) make available to the “Convention Chairman”, upon request, the official minutes of the Convention
- 4) be amenable to the “Convention Chairman” and “Assistant Convention Chairman”
- 5) in the absence of the “Convention Chairman” and the “Assistant Convention Chairman” due to death or a disablement that prevents them from performing the duties of their offices at the Convention, the Secretary shall call the Convention to order for the purpose of nominating and electing a new “Convention Chairman” and “Assistant Convention Chairman”. In this capacity the Secretary will assume the duties and authority of the “Convention Chairman”. If the Secretary is unable to perform the duties described herein, then they will fall to the Financial Officer.
- 6) the “Secretary” will take the following oath while placing his/her right hand on the Bible

“I solemnly promise to officiate the office of Secretary for the BALANCED BUDGET AMENDMENT Convention according to the terms and/or conditions set forth in the Legislative Calls from the Several States to the best of my ability, so help me God”.

FINANCIAL OFFICER - The “Financial Officer’s” duties include:

- 1) keep detailed accounting records of all financial matters at the Convention using generally accepted accounting principles
- 2) be amenable to the “Convention Chairman” and “Assistant Convention Chairman”
- 3) monitor activities at the Convention and report to the Convention Chairman violations or possible violations of the terms and/or conditions of this Legislative Call and Agreement
- 4) set up a checking account in the name of the BALANCED BUDGET AMENDMENT Convention requiring any two of the following three officers when signing a check or making withdrawals – Convention Chairman, Assistant Convention Chairman, Financial Officer
- 5) make available to the “Convention Chairman”, upon request, all financial records at the Convention
- 6) provide to the Convention Chairman the financial needs of the Convention and the time lines as to when these monies are needed
- 7) in the absence of a “Convention Chairman”, “Assistant Convention Chairman”, and “Secretary” due to death or a disablement that prevents them from performing the duties of their offices at the Convention, the Financial Officer shall call the Convention to order for the purpose of nominating and electing a new “Convention Chairman”, “Assistant Convention Chairman”, and “Secretary”. In this capacity the Financial Officer will assume the duties and authority of the “Convention Chairman”
- 8) the “Financial Officer” will take the following oath while placing his/her right hand on the Bible

“I solemnly promise to officiate the office of Financial Officer for the BALANCED BUDGET AMENDMENT Convention according to generally accepted accounting principles and according to the terms and/or conditions set forth in the Legislative Calls from the Several States to the best of my ability, so help me God”.

EXECUTIVE ADMINISTRATOR - The “Executive Administrator’s” duties include:

- 1) facilitate all Convention business as directed by the Convention Chairman
- 2) be amenable to the Convention Chairman and Assistant Convention Chairman

- 3) monitor activities at the Convention and report to the Convention Chairman violations or possible violations of the terms and/or conditions of this Legislative Call and Agreement
- 4) keep detailed reports of all administrative activities at the Convention
- 5) make available to the “Convention Chairman” upon request all administrative records and/or reports at the Convention
- 6) the “Executive Administrator” will take the following oath while placing his/her right hand on the Bible

“I solemnly promise to officiate the office of Executive Administrator for the BALANCED BUDGET AMENDMENT Convention according to the terms and/or conditions set forth in the Legislative Calls from the Several States to the best of my ability, so help me God”.

SERGEANT AT ARMS – The “Sergeant at Arms” duties include:

- 1) be amenable to the Convention Chairman and Assistant Convention Chairman
- 2) monitor all activities at the Convention and report to the Convention Chairman violations or possible violations of the terms and/or conditions of this Legislative Call and Agreement
- 3) maintain order at the Convention
- 4) enforce all remedies for violations of this Legislative Call and Agreement as directed by the Convention Chairman
- 5) organize and direct the activities of all Deputies at the Convention
- 6) oversee, train and manage all Deputies at the Convention
- 7) the “Sergeant at Arms” will take the following oath while placing his/her right hand on the Bible

“I solemnly promise to officiate the office of Sergeant at Arms for the BALANCED BUDGET AMENDMENT Convention according to the terms and/or conditions set forth in the Legislative Calls from the Several States to the best of my ability, so help me God”.

DEPUTIES – The “Deputies” duties include:

- 1) be amenable to the Convention Chairman, Assistant Convention Chairman and Sergeant at Arms
- 2) monitor all activities at the Convention and report to the Sergeant at Arms violations or possible violations of the terms and/or conditions of this Legislative Call and Agreement
- 3) maintain order at the Convention as directed by the Sergeant at Arms
- 4) enforce all remedies for violations of this Legislative Call and Agreement as directed by the Convention Chairman and/or the Sergeant at Arms
- 5) “Deputies” will take the following oath while placing his/her right hand on the Bible

“I solemnly promise to officiate the office of Deputy for the BALANCED BUDGET AMENDMENT Convention according to the terms and/or conditions set forth in the Legislative Calls from the Several States to the best of my ability, so help me God”.

CHALLENGING THE QUALIFICATIONS OF CONVENTION OFFICIALS

A State Delegation can challenge the qualifications of any Convention Official at the BALANCED BUDGET AMENDMENT Convention by bringing its allegation(s), during a business session, to the Convention floor. The Convention Chairman will consider the allegation(s) and determine if it merits further investigation. If the Chairman decides that the allegation(s) merits further investigation, he/she will direct the Sergeant at Arms to conduct the necessary inquiry. He/she will then follow the instructions outlined in the section “Violating this Agreement” for proscribing a remedy or remedies.

The “Convention Chairman” can also reject a challenge to the qualifications of any Convention Official if he/she concludes that the Delegate making the allegation(s) is trying to disrupt and/or delay Convention business. If after following the instructions outlined in “Violating this Agreement” the Delegate is found to have made a false

accusation against a Convention Official, the Delegate's State Delegation will be charged with a violation of the terms and/or conditions of this Call and Agreement.

PROHIBITIONS FOR STATE DELEGATES, STATE DELEGATIONS AND CONVENTION OFFICIALS AT THE CONVENTION

State Delegates, State Delegations and Convention Officials are prohibited from violating any of the following Convention prohibitions:

1. State Delegates, State Delegations and Convention Officials are prohibited, at the Convention, from introducing, discussing, voting on, or sending to the States for consideration and/or ratification any amendment to the United States Constitution other than the BALANCED BUDGET AMENDMENT, as herein written
2. State Delegates, State Delegations and Convention Officials are prohibited from altering or changing, in any way (which includes the wording, spelling, punctuation, or paragraph sections), the BALANCED BUDGET AMENDMENT from the written form shown in the section titled **"The full text of the BALANCED BUDGET AMENDMENT"**
3. State Delegates, State Delegations and Convention Officials are prohibited, at the Convention, from introducing, discussing, voting on, or sending to the States for consideration and/or ratification any alternate form of government for the United States of America
4. State Delegates, State Delegations and Convention Officials are prohibited, at the Convention, from introducing, discussing, voting on, or sending to the States for consideration and/or ratification any alternate constitution or governing document for the United States of America
5. State Delegates, State Delegations and Convention Officials are prohibited, at the Convention, from introducing, discussing, voting on, or sending to the States for consideration and/or ratification any changes, of any kind, to the existing Constitution of the United States of America other than the BALANCED BUDGET AMENDMENT
6. State Delegates, State Delegations and Convention Officials are prohibited, at the Convention, from introducing, discussing, voting on, or sending to the States for consideration any changes, of any kind, to this binding Agreement between the States Calling for the BALANCED BUDGET AMENDMENT Convention
7. State Delegates, State Delegations and Convention Officials are prohibited, at the Convention, from introducing, discussing, voting on, or sending to the States for consideration and/or ratification any subject matter, issue or topic (of any kind) other than the proposed BALANCED BUDGET AMENDMENT in its written form shown in the section titled **"The full text of the BALANCED BUDGET AMENDMENT"**

THE DATE, TIME, DURATION AND PLACE OF THE BALANCED BUDGET AMENDMENT CONVENTION.

The United States Congress will be responsible for determining and announcing to the Several States the date, time, and place that the BALANCED BUDGET AMENDMENT Convention is to convene immediately after two thirds of the States, under the authority given to the States in Article V of the United States Constitution, have completed their Calls on Congress to convene the BALANCED BUDGET AMENDMENT Convention. The Convention is expected to complete its business by the 180th day after convening. The Convention Chairman can extend the duration of the BALANCED BUDGET AMENDMENT Convention for one additional 180 day period. The maximum number of days the Convention is authorized to be in session are 360 days. If the Convention has not decided if the BALANCED BUDGET AMENDMENT should be sent to Congress with instructions to send the Amendment to the Several States for ratification by the end of 360 days, then the Call for the BALANCED BUDGET AMENDMENT Convention, which was approved by the Several States under the authority granted in Article V of the United States Constitution and this agreement, will be automatically withdrawn by the Calling States and the Convention will automatically terminate at 5:00 P.M. Eastern Standard Time on the 360th day after convening. Termination of the BALANCED BUDGET AMENDMENT Convention will automatically occur on the 360th day after convening the Convention, without requiring a formal notice by the States to the Convention, nor by the States to the United States Congress, nor by the Convention to the States, nor by the Convention to the

United States Congress, although it is recommended that the Convention notify the United States Congress and the State Legislatures of its termination as a courtesy.

Under no circumstance(s) are the Delegates at the BALANCED BUDGET AMENDMENT Convention authorized to re-convene a new or different Convention, no matter what their purpose or intent. The official Legislative Call and authority granted by the Several States and the subsequent convening of the BALANCED BUDGET AMENDMENT Convention by Congress will be automatically invalidated and the Convention will be abolished at 5:00 P.M. Eastern Standard Time on the 360th day after the convening of the BALANCED BUDGET AMENDMENT Convention.

VIOLATING THIS AGREEMENT

The Convention Chairman (or in the absence of the Convention Chairman the Assistant Convention Chairman) will handle allegations of a violation(s) or actual violation(s) of the terms and/or conditions of this binding Agreement between the Several States, by any one or more Delegate(s) and/or Convention Official(s), as follows:

1. When an alleged violation has been presented to the Convention Chairman, and if the Chairman decides that the allegation(s) merits further investigation, he/she will instruct the Sergeant at Arms to conduct the necessary inquiry.
2. After the inquiry has been completed, and assuming the Convention Chairman concludes that the evidence does not substantiate further review by the Convention, the allegation(s) will be dismissed by the Chairman and the Convention will go forward with its business.
3. If however, after the inquiry has been completed, the Convention Chairman concludes that the evidence does substantiate further review by the Convention, the Chairman will present the allegation(s) and findings of the inquiry to the Convention for a discussion and vote. If a majority of the State Delegations (one vote per State Delegation) decide that no violation of the terms and/or conditions of this Legislative Call and Agreement has occurred, then the Chairman will declare that the alleged violation(s) of the terms and/or conditions of this Legislative Call and Agreement is/are dismissed. The Convention will then go forward with its business.
4. If however, after the inquiry has been completed, the Convention Chairman concludes that the evidence does substantiate further review by the Convention, the Chairman will present the allegation(s) and findings of the inquiry to the Convention for a discussion and vote. If a majority of the State Delegations (one vote per State Delegation) decide that one or more violation(s) of the terms and/or conditions of this Legislative Call and Agreement has/have occurred, then the Chairman will declare to the Convention that the Delegate(s) responsible for the violation(s), and their State Delegation(s), has/have been charged with "Violating this Agreement". The Convention will then go forward with its business.
5. If a State Delegation is charged with two violations of the terms and/or conditions of this Legislative Call and Agreement, the Convention Chairman will declare to the Convention that the State Delegation charged with violating this Agreement a second time has no further standing or authority at the Convention. The Chairman will notify the charged State Delegation that its entire delegation of Delegates must leave the Convention immediately and they will not be allowed back into the Convention. The Chairman will instruct the Sergeant at Arms that he should escort the charged State Delegation out of the Convention. The Convention Chairman will then notify the State Legislature that sent the charged State Delegation of the actions that the Convention has taken and inform them that they can send a replacement State Delegation to the Convention as long as they do not disrupt the proceedings of the Convention. None of the original Delegates who were charged by the Convention will be allowed back into the Convention as part of a replacement delegation.

6. The Convention Chairman will not allow unreasonable delays in the proceedings of the Convention due to disruptive Delegates or State Delegations. He/she will move the business of the Convention forward expeditiously.

THE FULL TEXT OF THE BALANCED BUDGET AMENDMENT

The full text of the BALANCED BUDGET AMENDMENT to be submitted to the Several States by the United States Congress for ratification shall read as follows:

BALANCED FEDERAL BUDGET AMENDMENT

ARTICLE 28 (or alternate number to be assigned by Congress)

Section 1. It is the right of citizens to enjoy a fiscally sound and debt free federal government which is foundational to a free people and must not be violated by the State.

Section 2. It is hereby mandated that the United States Congress will conduct the fiscal affairs of the United States Government according to the requirements of this Article.

Section 3. A Balanced Federal Budget consists of accurately assigning the sum of all federal receipts (which includes all tax revenues and all other sources of government income) to pay for all Federal expenditures within a given year and with the mandate not to allow expenditures to exceed revenue and income. The following exceptions apply:

1. In time of war or national emergency the United States Congress can authorize expenditures to exceed income and revenue as is required to protect the interests and security of the United States and its citizens. However, the United States Congress is required to amortize the repayment of any debt incurred over a maximum of ten years from the end of the war or national emergency. The United States Congress is prohibited from extending the repayment of the debt beyond ten years which includes the repayment of monies borrowed and any interest that may have accrued in order to service said debt. Congress can repay the debt, in full, in less than ten years, but must pay no less than 1/10th of the original amount owed by the Government, including interest, in each remaining year of the ten year term, unless the balance is less than 1/10th of the original amount.
2. The United States Congress is authorized to allow expenditures to exceed revenues and income when in the collective wisdom of two thirds of the members of both Houses of the United States Congress it is necessary to do so. However, the United States Congress is required to amortize the repayment of any debt incurred over a maximum of five years from the date said debt was authorized by Congress. The United States Congress is prohibited from extending the repayment of said debt beyond five years which includes the repayment of monies borrowed and any interest that may have accrued in order to service said debt. Congress can repay the debt, in full, in less than five years, but must pay no less than 1/5th of the original amount owed by the Government, including interest, in each remaining year of the five year term, unless the balance is less than 1/5th of the original amount.

Section 4. The United States Congress is prohibited from taking any debt that may remain from previous year deficits and include it/them as part of a new deficit expenditure in current or future years.

Section 5. It is further prohibited for the United States Congress to extend the repayment of any and all debt incurred beyond the time lines required in this Article.

Section 6. All current debt owed by the United State Government at the time this Article is ratified, including accrued interest to service said debt, must be repaid by the United States Congress within 20 years from the date this Article is ratified by the several States. Congress can repay the current debt, in full, in less than twenty years, but must pay no less than 1/20th of the original amount owed by the Government, including interest, in each remaining year of the 20 year term, unless the balance is less than 1/20th of the original amount.

Section 7. To secure the rights of citizens to enjoy a fiscally sound and debt free federal government, which is foundational to a free people, it is hereby prohibited for the United States Congress to allow federal expenditures to exceed federal revenue and income, in any given year, as mandated by the requirements and allowances of this Article.

Section 8. This Article shall be immediately enforceable upon the United States Congress when ratified by three quarters of the several States.

RATIFICATION OF THE “BALANCED BUDGET AMENDMENT”

Under the requirements of Article V of the United States Constitution and also under Article IV, Section 4 which guarantees to every State a Republican form of Government, the BALANCED BUDGET AMENDMENT will become a ratified Amendment to the United States Constitution when three quarters of the Several States complete their ratifications of the Amendment.

“CONGRESSIONAL” OPTION

If the United States Congress voluntarily sends the BALANCED BUDGET AMENDMENT to the Several States for ratification without making any changes, of any kind (which includes the wording, spelling, punctuation and paragraph sections) in the proposed Amendment as herein written, and before two thirds of the States complete their Call for Congress to convene the BALANCED BUDGET AMENDMENT Convention, then the Legislature of the State of WEST VIRGINIA will withdraw its Call for the BALANCED BUDGET AMENDMENT Convention.

OFFICIAL AGREEMENT BY THE WEST VIRGINIA STATE LEGISLATURE BETWEEN ITSELF AND THE CALLING STATES

The Legislature of the State of WEST VIRGINIA enters into this binding Agreement with every other State Legislature that likewise agrees to the terms and/or conditions of this Legislative Call and Agreement as set forth herein. This is an irrevocable contract, during the term of this Agreement, between the State of WEST VIRGINIA and each and every State that signs this Agreement and completes its Call on the United States Congress directing Congress to convene a Federal Convention titled the BALANCED BUDGET AMENDMENT Convention. The Legislature of the State of WEST VIRGINIA agrees that it, and its delegates who are selected to attend the Convention, will abide by the purpose, terms, conditions, agenda, and “Convention Rules of Order” as explained in this Agreement.

The Legislature of the State of WEST VIRGINIA enters into this Agreement with every other State Legislature that likewise agrees to the terms and/or conditions of this Agreement and Legislative Call as set forth herein, understanding that the BALANCED BUDGET AMENDMENT Convention, by definition herein explained, is a “**SINGLE ISSUE**” Federal Convention and that the Convention will have no authority, under this Call and Agreement between the States, to review and/or consider any other subject matter, issue, or topic during its sessions other than business matters relating to the question, should the BALANCED BUDGET AMENDMENT, as herein written, be sent by the Convention to the United States Congress instructing Congress to send the Amendment to the Several States for ratification? The Legislature of the State of WEST VIRGINIA irrevocably declares by signing this Agreement that any subject matter, issue or topic (other than the BALANCED BUDGET AMENDMENT) that delegates might try to present to the Convention and subsequently to the States for review and/or ratification will be immediately, upon introduction at the Convention, unauthorized, invalid and automatically rejected by the Legislature of the State of WEST VIRGINIA, and the Legislature of the State of WEST VIRGINIA irrevocably declares that it will not review and/or consider for ratification any such subject matter, issue or topic, no matter how presented to it by the Convention. Only the BALANCED BUDGET AMENDMENT, as herein written, will be considered by the Legislature of the State of WEST VIRGINIA for ratification.

The Legislature of the State of WEST VIRGINIA also irrevocably declares that under no circumstance(s) will it consider for review and/or ratification any amendment to the United States Constitution, submitted to it by the BALANCED BUDGET AMENDMENT Convention other than the BALANCED BUDGET AMENDMENT as herein written.

The Legislature of the State of WEST VIRGINIA further irrevocably declares that under no circumstance(s) will it consider for review and/or ratification any modified form of the BALANCED BUDGET AMENDMENT submitted to it by the BALANCED BUDGET AMENDMENT Convention that would change, alter, or replace, in any way

(which includes the wording, spelling, punctuation, or paragraph sections), the BALANCED BUDGET AMENDMENT from its written form herein.

The Legislature of the State of WEST VIRGINIA further irrevocably declares that under no circumstance(s) will it consider for review and/or ratification any proposal, of any kind, sent to it by the BALANCED BUDGET AMENDMENT Convention that would change, replace, or alter the United States Constitution other than the BALANCED BUDGET AMENDMENT as herein written.

The Legislature of the State of WEST VIRGINIA further irrevocably declares that under no circumstance(s) will it consider for review any proposal, of any kind, sent to it by the BALANCED BUDGET AMENDMENT Convention that would change, replace, or alter, in any way (which includes the wording, spelling, punctuation and section paragraphs), this Official Legislative Call for the BALANCED BUDGET AMENDMENT Convention and the terms and/or conditions of this Agreement between the States as herein written.

Under the authority reserved to the State of WEST VIRGINIA in Article V of the United States Constitution and also under Article IV, Section 4 which guarantees to every State a Republican form of Government, the Legislature of the State of WEST VIRGINIA hereby approves this Legislative Call on the United States Congress directing Congress to convene the BALANCED BUDGET AMENDMENT Convention and binds itself with each and every State that likewise approves this identical Legislative Call according the terms and/or conditions set forth in this Agreement.

OFFICIAL CALL BY THE STATE OF WEST VIRGINIA ON THE UNITED STATES CONGRESS DIRECTING CONGRESS TO CONVENE THE BALANCED BUDGET AMENDMENT CONVENTION

The Legislature of the State of WEST VIRGINIA hereby Calls on the United States Congress directing Congress to convene a Federal Convention to be titled the BALANCED BUDGET AMENDMENT Convention. The Convention is to be convened immediately after two thirds of the Several States have completed their Calls for the BALANCED BUDGET AMENDMENT Convention.

The State of WEST VIRGINIA is authorized to make this Call for the BALANCED BUDGET AMENDMENT Convention under the authority reserved to the States in Article V of the United States Constitution and under Article IV, Section 4 which guarantees to every State a Republican form of Government. Both Articles give to each State an equal standing when calling for a Constitutional Convention. Article V and Article IV, Section 4 reserves to the Several States the right to Call for a Federal Convention for the purpose of amending the United States Constitution when Congress and/or the Courts refuse to address an egregious wrong suffered by the people.

Submitted to Both Houses of the United States Congress on this date _____, _____ by the Legislature of the State of WEST VIRGINIA.

Authorized Signatures with titles:

State of WEST VIRGINIA Seal:

_____ Title _____

_____ Title _____