CONVENTION RESOLUTION 1

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

PREAMBLE

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

ARTICLE 1 – Subject of the Convention

1.1 Convention Limited Authority

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

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

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

1.2 Temporary Rules

For the purposes of organizing the Convention, all Articles herein shall be adopted by a majority of the States voting, one vote per State, to serve as temporary rules for the Convention save for any Article which requires more than a simple majority shall require, by division, an equal majority of votes by the Convention. The Temporary Rules shall remain in
CONVENTION RESOLUTION 1

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

1.3 Initial Quorum

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

1.4 Prohibition on Amending or Suspending

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

ARTICLE 2 - Officers of the Convention

2.1 List and Duties of Officers

2.1.1 Temporary President

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

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

2.1.2 Permanent Officers

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

2.1.2.1 Duties of the President

2.1.2.1.1 Calling the Convention to Order

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

2.1.2.1.2 Duty to Preserve Order and Decorum
CONVENTION RESOLUTION 1

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

2.1.2.1.3 Authority to Enforce Rules

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

2.1.2.1.4 Points of Order

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

2.1.2.1.5 Committee Membership

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

2.1.2.2 Duties of the Vice President

2.1.2.2.1 Absence of the President

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

2.1.2.2.2 Convention Manager

The Vice President shall serve as the manager of the Convention with the duties to provide necessary facilities, staff, audio visual equipment, and document reproduction at the direction of the Convention and the committees. The Vice President may create
CONVENTION RESOLUTION 1

a committee to advise the Vice President on these matters.

2.1.2.3 Duties of the Secretary

2.1.2.3.1 General Duties of the Secretary

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

2.1.2.3.2 Journal Record of Proceedings

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

2.1.2.3.3 Verbatim Record of Proceedings

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

2.1.2.3.4 Numbering of Proposals

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

2.1.2.3.5 Preparation of Calendar, Reports, and Amendments

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

2.1.2.3.6 Preservation of Records

As soon as possible after the final adjournment of the Convention, the Secretary shall prepare a “Journal of Proceedings” of the Convention, which shall be attested to by the President and the Vice President. The Secretary shall cause the journal to be
both physically and electronically published in full. The Secretary shall cause the audio
and video records of the Convention to be compiled and preserved and shall file the
journal and all audio and video records with the Archivist of the United States for
keeping in the manner provided by law for the records, books, video and audio
records, documents, and other papers of the Convention. Likewise, the same records
shall be filed with the Library of Congress, and with the several States in a manner
directed by the Convention. The Secretary shall additionally send copies of all such
records to the Speaker of the United States House of Representatives, the President of
the United States Senate, the Clerk of the United States House of Representatives and
the Secretary of the United States Senate.

2.1.2.3.7 Necessary Deputies and Staff

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

2.1.2.3.8 Vote Tally

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

2.1.2.4 Duties of the Parliamentarian

2.1.2.4.1 Qualifications

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

2.1.2.4.2 Duties

Upon request, the Parliamentarian shall advise the presiding officer of the
Convention or a committee regarding questions of parliamentary procedure or the
rules of the Convention.
2.1.2.5 Duties of the Sergeant-at-Arms

2.1.2.5.1 Convention

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

2.1.2.5.2 Committees

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

2.1.2.5.3 Deputies

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

2.1.3 Vacancy of an Officer

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

2.2 Election of the Officers

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

ARTICLE 3 – Quorums and Voting

3.1 Quorum
CONVENTION RESOLUTION 1

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

3.2 Voting

3.2.1 Voting by States

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

3.2.2 Majority Vote

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

3.2.3 Proposing an Amendment for Ratification

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

ARTICLE 4 – Committees

4.1 Rules Committee

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

4.1.1 Purpose of the Committee

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

4.1.2 Seating and Participation

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

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

**4.1.4 Vice Chair**

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

**4.1.5 Sub-Committees**

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

**4.2 Amendment Committee**

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

**4.2.1 Purpose of the Committee**

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

**4.2.2 Seating and Participation**

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

**4.2.3 Chair**
CONVENTION RESOLUTION 1

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

4.2.4 Vice Chair

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

4.2.5 Sub-Committees

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

4.2.6 Specific Issues Before the Committee

4.2.6.1 State Participation

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

4.2.6.2 Expert Testimony

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

4.3 Credentials Committee

4.3.1 Purpose of the Committee
The committee shall verify the credentials of the delegations after the Opening Session and settle disputes regarding credentials. The decision of the committee may be appealed to the Convention.

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

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

4.3.4 Recall Authority of the States
The committee shall recognize and respect the authority of a State to recall and reappoint members of its delegation pursuant to the resolution approved by their legislature when it appointed its delegation.

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

4.5 Committee Debate
The method of participation in committee debate shall be the same method as used in general session.

ARTICLE 5 – Sessions of the Convention

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

5.2 Rules and Procedures
CONVENTION RESOLUTION 1

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

5.3 Seating and Participation

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

5.4 Sessions

5.4.1 Time of Meeting and Procedure

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

5.4.2 Reading of the Journal

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

5.4.3 Order of Business

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

1. Call Convention to Order
2. Prayer by an individual approved by the President.
3. Pledge
4. Roll Call.
5. Reading of the Journal.
6. Presentation of petitions, memorials, and remonstrances.
7. Reports of committees.
8. Introduction and first reading of proposals.
10. Motions and resolutions.
11. Orders of the day.
12. Committee notices.

5.4.4 Prohibitions on the actions of the Convention
5.4.4.1 Amending Convention Rules

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

5.4.4.2 Proposing and Amending Amendment Language

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

5.4.5 Voting Process

5.4.5.1 Name of the State

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

5.4.5.2 Votes Cast

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

5.4.5.3 Request for Leave

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

5.4.6 Additional Rules of Procedure

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

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

5.4.6.3 A motion made and seconded, shall be repeated; and if written, as it shall be when any member shall so require, shall be read aloud by the Secretary or transmitted to each delegate’s pre-designated electronic device before it shall be debated. No motion,
other than a procedural motion, shall be in order unless germane to both the subject
matter specified in the State applications on which Congress called the Convention and to
the subject matter specified in the Convention call.

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

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

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

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

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

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

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

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

ARTICLE 6 – General and Miscellaneous Provisions

6.1 Costs of the Convention

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

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

6.3 Adjournment

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