

**SENATE CONCURRENT RESOLUTION No. 118**

**STATE OF NEW JERSEY**

INTRODUCED MARCH 20, 1997

**By Senators LESNIAK, Casey, Girgenti, Sacco, McGreevey,  
Lipman, Kenny, Baer, Bryant, Zane, Rice, Lynch, Codey and Adler**

1 **A CONCURRENT RESOLUTION** ratifying a proposed amendment to the  
2 Constitution of the United States to require that the federal budget shall be  
3 balanced, except under certain circumstances.  
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5 **WHEREAS**, The government of the United States has had a budget deficit  
6 during 33 of the last 34 years; and

7 **WHEREAS**, As a result of these deficits, the federal government's debt now  
8 exceeds \$5 trillion, or more than \$20,000 for every citizen; and

9 **WHEREAS**, The funding of this debt greatly burdens the economic development  
10 of the United States by diverting money from productive investments to the  
11 purchase of government obligations; and

12 **WHEREAS**, The debt also affects public policy, because an increasing portion  
13 of federal revenues must be used for debt service and is therefore  
14 unavailable for programs to benefit people in need; and

15 **WHEREAS**, The growth of the federal budget deficit takes a toll on the nation's  
16 prosperity by limiting the fiscal independence of future generations; and

17 **WHEREAS**, The fiscal limitations imposed by the federal deficit represents a  
18 betrayal of those principles of liberty upon which this nation was founded  
19 and to which its laws and government are dedicated; and

20 **WHEREAS**, The following article has been proposed in the Congress of the  
21 United States as an amendment to the Constitution of the United States;  
22

23 "ARTICLE --  
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25 "Section 1. Total outlays of the United States for any fiscal year shall not  
26 exceed total receipts for that year, unless three-fifths of the whole number of  
27 each House of Congress shall provide by law for a specific excess of outlays  
28 over receipts by a roll call vote.

29 "Section 2. Total receipts shall exclude those derived from borrowing.  
30 Total outlays shall include all outlays of the United States Government except  
31 those for repayment of debt principal and those dedicated to a capital budget.  
32 The capital budget shall include only investments in major public physical  
33 capital that provides long-term economic benefits.

34 "Section 3. The receipts (including attributable interest) and outlays of the

1 Federal Old-Age and Survivors Insurance Trust Fund and Federal Disability  
2 Insurance Trust Fund shall not be counted as receipts or outlays for purposes  
3 of this article.

4 "Section 4. The limit on the debt of the United States held by the public  
5 shall not be increased, unless three-fifths of the whole number of each House  
6 shall provide by law for such an increase by roll call vote.

7 "Section 5. Prior to each fiscal year, the President shall transmit to the  
8 Congress a proposed budget for the United States Government for that fiscal  
9 year in which total outlays do not exceed total receipts.

10 "Section 6. No bill to increase revenue shall become law unless approved  
11 by a majority of the whole number of each House by a roll call vote.

12 "Section 7. The Congress may waive the provisions of this article for any  
13 fiscal year in which a declaration of war is in effect. The provisions of this  
14 article may be waived for any fiscal year in which the United States faces an  
15 imminent and serious military threat to national security and is so declared by  
16 a joint resolution, which becomes law.

17 "Section 8. The Congress shall enforce and implement this article by  
18 appropriate legislation, which may rely on estimates of outlays and receipts.

19 "Section 9. This article shall take effect beginning with fiscal year 2002 or  
20 with the second fiscal year beginning after its ratification, whichever is later.";  
21 and

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23 **WHEREAS**, The proposed amendment protects Social Security by excluding  
24 it from the calculation of receipts and outlays, and makes the sensible  
25 differentiation of the capital budget from the operating budget by excluding  
26 outlays dedicated to a capital budget; and

27 **WHEREAS**, In accordance with the provisions of Article V of the Constitution  
28 of the United States, the resolution proposing the Constitutional amendment  
29 hereinabove set forth provides that the amendment "shall be valid to all  
30 intents and purposes as part of the Constitution when ratified by the  
31 legislatures of three-fourths of the several States within seven years after  
32 the date of its submission for ratification"; now, therefore,

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34 **BE IT RESOLVED** by the Senate of the State of New Jersey (the General  
35 Assembly concurring):

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37 1. The Legislature of the State of New Jersey, on behalf of the State of  
38 New Jersey, does hereby ratify the proposed amendment to the Constitution  
39 of the United States, as reproduced in the preamble to this concurrent  
40 resolution.

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42 2. The Secretary of the State of New Jersey is directed to notify the  
43 Archivist of the United States of the action taken by the Legislature of the

1 State of New Jersey with respect to this proposed amendment to the  
2 Constitution of the United States.

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STATEMENT

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7 This concurrent resolution ratifies a proposed amendment to the United  
8 States Constitution to require that the annual budget of the United States shall  
9 be balanced, unless three-fifths of the members of each House of Congress  
10 shall provide by law for a specific deficit amount by a roll call vote. In  
11 addition, the limit on the federal debt could not be increased unless three-fifths  
12 of the members of each House provides by law for such an increase. The  
13 proposed amendment provides that Congress may waive these restrictions for  
14 any fiscal year in which a declaration of war is in effect or any fiscal year in  
15 which the United States is engaged in military conflict which causes an  
16 imminent and serious military threat to national security (as declared by a joint  
17 resolution, adopted by a majority of the whole number of each House, which  
18 becomes law). The proposed amendment further provides that no bill to  
19 increase revenue shall become law unless approved by a majority of the whole  
20 number of each House by a roll call vote. The proposed amendment protects  
21 Social Security by excluding it from the calculation of receipts and outlays,  
22 and makes the differentiation of the capital budget from the operating budget  
23 by excluding outlays dedicated to a capital budget.

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28 Ratifies federal balanced budget amendment to U.S. Constitution.