

The history of this movement in the State of California, the largest State in terms of population in the Union, in an interesting one to say the least. There was a resolution on this subject introduced in 1979 in the State Legislature in California. Unfortunately, it was killed in the State Senate by Leo McCarthy, who now serves our State legislature in the capacity of Lieutenant Governor.

Another resolution was introduced in that year 1979 by a State assemblyman from Van Nuys by the name of Tom Bane and it was adopted by the legislature, but it did not call for a constitutional amendment or a convention, just called on the Federal Government to propose a balanced budget amendment to the States. Leaving out that call for the convention, unfortunately, left California in the position that it could not qualify as one of the 34 States.

Then in 1981, Dan Boatwright, who had introduced the first resolution in 1979 introduced another one, Senate Joint Resolution 1, and it met with a similar success as the one in 1979, namely, it was defeated.

As a result of the failure of our State legislature to adopt this resolution calling for a convention on this subject, Senator PETE WILSON and myself organized a campaign last year designated Californians for a Balanced Budget. We have been successful in circulating petitions in our State and we have qualified an initiative for the ballot in November of this year. We filed 605,609 signatures on February 21 of this year. On March 21, the secretary of state indicated that we have the correct number, specifically 445,449 were verified and that is 52,000 over the 393,835 required. This means that this issue has qualified for the ballot in November 1984 and if the polls are any indication of what the people of my State of California will do on this issue, it is clear that the measure will be adopted overwhelmingly and California will be the 33d State in the Union on the subject.

I thank my colleague for yielding me this time.

Mr. CRAIG. I would certainly like to thank my colleague from California and to commend him. He and his colleague in the other body, Senator PETE WILSON, for the tremendous effort that they have been engaged in in the State of California and he has just recited for you the phenomenal effort in collecting over 600,000 signatures to qualify this most important initiative on the ballot for November.

I would have to concur that if the polls are anywhere near accurate and recent polling now shows that nearly 83 percent of the American public believe that a constitutional amendment for the purpose of balancing the Federal budget is an absolute necessity to

bring fiscal stability, not only to this body, but to the country, itself.

Once again I congratulate my colleague for that tremendous effort.

I would now like to yield to my colleague from the State of Montana, who has been involved in a similar effort and just now in the last few days has that effort neared completion and I would like to congratulate my colleague from the State of Montana for what now appears to be a most successful effort and a job well done. And we look forward to hearing from him.

Mr. MARLENEE. Mr. Speaker, let me congratulate my colleagues, from California, BILL DANNEMEYER and my colleague from Idaho, LARRY CRAIG for unfailing personal support of this effort. Their personal sacrifice of time and money has been great. I know they have personally visited the State of Montana with me and helped get our effort there underway. It is progressing very well.

Thirty-two of the thirty-four States have entered here their petitions. There is no question in my mind, none whatsoever, that we will reach the goal of 34 States. It is time for responsibility. It is time now for this Congress to act on a balanced budget amendment and to put it out of this body.

I would like to report to my colleagues that Montana, it is reported to me, has reached the required number of signatures and that this has happened very recently and that this issue will more than likely be on the ballot this fall.

Given that opportunity I can say with a great degree of confidence that the people of Montana will overwhelmingly, support the balanced budget amendment initiative that we are going to have on the ballot.

I would like to say that we have it at this time, but, Mr. Speaker, the people of Montana, I will have to say, are considering requiring the Montana State Legislature to petition this body to enact and send to the United States for ratification an amendment to the Constitution of the United States requiring a balanced Federal budget and that should Congress fail to act:

Now, therefore, be it resolved by the Senate and House of Representatives of the State of Montana:

That the Legislature of the State of Montana propose and application is hereby made to the Congress of the United States, pursuant to Article V of the Constitution of the United States, to call a convention for the sole purpose of proposing an amendment to the Constitution of the United States to require, with certain exceptions, that the federal budget be balanced.

Be it further resolved, that this application constitutes a continuing application in accordance with Article V of the Constitution of the United States until at least two-thirds of the several states have made similar application pursuant to Article V.

Mr. Speaker, I include the full contents of this resolution to be entered in its entirety into the RECORD, as follows:

Be It Enacted By the People of the State of Montana:

Section 1. Article V of the Constitution of the State of Montana is amended to read:

Section 5. Compensation. (1). Each member of the legislature shall receive compensation for his services and allowances provided by law, except as provided in subsection (2). No legislature may fix its own compensation.

(2). No compensation or allowance shall be paid a member during an extended session pursuant to Section 6 (2) of this article."

Section 6. Sessions. (1) The legislature shall meet each odd numbered year in regular session of not more than 90 legislative days. Any legislature may increase the limit on the length of any subsequent session. The legislature may be convened in special sessions by the governor at the written request of the majority of the members.

(2). If the resolution required in Section 15 of this Article is not enacted within 90 legislative days each house of the legislature shall be required to continue sitting at Helena for the exclusive and limited purpose of considering and deliberating on that resolution until such resolution is adopted. No recess or adjournment in excess of 3 calendar days shall be permitted until a resolution is adopted and transmitted as provided in Section 15."

New Section. Section 15. Application to Article V of the constitution of the United States for an application to Congress for a balanced federal budget amendment. (1) The people of the State of Montana herewith adopt and direct the next regular legislative session to adopt the following resolution and submit the same to the Congress of the United States under the provisions of Article V of the Constitution of the United States:

Whereas, with each passing year this nation becomes more deeply in debt as the expenditures grossly and repeatedly exceed available revenue, so that the public debt now exceeds one trillion four hundred billion dollars; and

Whereas, the annual federal budget continually demonstrates an unwillingness and inability of both the legislative and executive branches of the federal government to curtail spending to conform to available revenue; and

Whereas, unified budgets do not reflect actual spending because of the exclusion of special outlays which are not included in the budget; and

Whereas, knowledgeable planning and fiscal prudence require that the budget reflect all spending and be in balance on a regular basis; and

Whereas, believing that fiscal irresponsibility at the federal level, with the inflation and high interest rates which result, is one of the greatest threats facing our nation; and

Whereas, we firmly believe that a constitutional restraint is necessary to bring the fiscal discipline needed to restore financial responsibility; and

Whereas, under Article V of the Constitution of the United States, upon application of the legislatures of two-thirds of the several states, the Congress shall call a convention for the purpose of proposing amend-

ments to the federal Constitution, which action we believe is vital.

Now, therefore, be it resolved by the Senate and House of Representatives of the State of Montana:

That the Legislature of the State of Montana propose and application is hereby made to the Congress of the United States, pursuant to Article V of the Constitution of the United States, to call a convention for the sole purpose of proposing an amendment to the Constitution of the United States to require with certain exceptions, that the federal budget be balanced.

Be it further resolved, that this application constitutes a continuing application in accordance with Article V of the Constitution of the United States until at least two-thirds of the several states have made similar application pursuant to Article V.

Be it further resolved, that if the Congress of the United States proposes an amendment to the Constitution of the United States identical in subject matter to that contained herein and submit the same to the states for ratification, this application shall no longer be of any force and effect.

Be it further resolved, that this application shall be considered void, rescinded and of no effect if such convention not be limited to such specific and exclusive purposes.

Be it further resolved, that the Secretary of the Senate, Clerk of the House and Secretary of State be directed to transmit copies of this application to the Secretary of the United States Senate and Clerk of the United States House of Representatives of the Congress of the United States, to the members of the United States Senate and House of Representatives from this state and to the presiding officers of each of the legislatures in the several states requesting the legislatures of those states to adopt resolutions calling for a constitutional convention on an issue of balancing the federal budget.

(2). The secretary of state is directed to transmit copies of this constitutional amendment adopted by the people of Montana to the secretary of the United States Senate and the clerk of the United States House of Representatives of the Congress of the United States, to the members of the United States Senate and House of Representatives from this state, and to the presiding officers of each of the legislatures in the several states requesting the legislatures of those states to adopt resolutions calling for a constitutional convention or an issue to balancing the federal budget. The secretary of state shall transmit such copies of this amendment upon the expiration of the first 90 legislative days of deliberation by the 49th legislature of this state.

Section 2. Severability. If a part of this act is invalid, all valid parts that are severable from the invalid part remain in effect. If a part of this act is invalid in one or more of its applications, the part remains in effect in all valid applications that are severable from the invalid applications. If the mandatory provisions of this act are held to be impermissible, this amendment is to be considered nonbinding by the legislature.

Section 3. Termination Date. This amendment terminates upon a call by Congress for a limited constitutional convention for the sole purpose of proposing an amendment to the Constitution of the United States or for the ratification of an amendment to require, with certain exceptions, that the federal budget be balanced.

Section 4. Effective Date. This amendment is effective on passage and approval by the people of the State of Montana.

Mr. CRAIG. I would like to thank my colleague from Montana not only for his participation this evening, but for the tremendous leadership role he has played in this most successful effort in his State. We are now of the strength of signatures necessary to qualify that resolution that he has just mentioned on the ballot through the initiative drive and that is the uniqueness and the force of this issue, not only in Montana and California, but across the Nation.

Now there is another approach that is being currently taken at this time in some other States. I would like to yield to my colleague, MARK SILJANDER, from the State of Michigan to discuss what is currently going on in that State, which might well make Michigan the 33d or the 34th State to petition this Congress.

Mr. SILJANDER. I thank the gentleman for yielding.

I just want to say in 1 second that I deeply commend him. It is not just rhetorically. I really do. And his hard work in organizing this special order and presenting the awesome effort that is now underway nationwide to present a reality of a balanced budget to this country.

Michigan, we hope to be the 33d or 34th State. Michigan tends to be a State which is a little more less fiscally responsive than many States, as I served three terms in the State legislature there. But we do have a balanced budget amendment in the State of Michigan.

The State Senate miraculously passed through the Senate in the Senate committee on taxation a resolution calling for a balanced budget amendment in Washington, DC.

No one dreamed this could ever happen in a decade in Michigan, but it has. Now the resolution is on the house side. The resolution would never be thought of as being reported out of committee.

□ 1930

Now, we seem to have the votes on the House side in the State legislature in Lansing, MI, to report the bill to the full floor of the State legislature.

So my dear friend who is organizing this special order, I would like to share with him that Michigan has come a long way, an incredibly long way, from what all of the critics and observers could ever dream could have happened.

I would also like to thank State Senator Edward Fredericks of Holland, MI, for his efforts and his sponsorship of the Senate bill which has gone so far in the State to help promote the national effort for a balanced budget amendment.

I thank the gentleman for yielding.

Mr. CRAIG. I thank the gentleman from Michigan for the role he has played. I had the privilege of being in Lansing to testify before that Senate committee and was extremely pleased not only at the reception and the eagerness on the part of the Senate in Michigan to move that legislation, the resolution, as they have, and I think what my colleague has just reported about the possibility of that moving out now from the House committee into the full body of the House for a vote is a very real possibility in the near future.

Mr. Speaker, what we have just presented are not only 32 States that have currently petitioned Congress, and I believe, as my colleagues do, that those petitions are active and deserve recognition, and that is why we put them into the CONGRESSIONAL RECORD this evening.

You have also heard from our colleague from Michigan where an active legislative drive is currently underway, our colleague from California, who does stand assured that it will pass that State in the initiative effort this fall, in November, at the election, my colleague from Montana, who has been involved in a similar effort, and he too believes very strongly with every reason that that same type of initiative drive and that issue will pass on the ballot in November in the State of Montana.

Now, with all of this happening, Mr. Speaker, we are so very, very close to article V of the Constitution, which says:

Upon the application of the legislatures of two-thirds of the several States, the Congress shall call a convention proposing amendments which shall be valid to all intents and purposes and a part of this Constitution when ratified by the legislatures of three-fourths of the several States or by convention in three-fourths thereof.

PARLIAMENTARY INQUIRY

Mr. CRAIG. Mr. Speaker, as a matter of parliamentary inquiry, I would like to ask of the Speaker what this body will do at the time the 34th State petitions this Congress for the purpose of a constitutional amendment and/or a constitutional convention.

The SPEAKER pro tempore. In response to the gentleman's inquiry, the Chair will state that there is no rule of the House which governs the situation which the gentleman describes.

It would be a matter for the House and for the other body to determine and establish a procedure appropriate to these circumstances.

Mr. CRAIG. Would the Speaker further respond in saying at this time there is no procedure, there is no rule, by which this body would conduct

itself with the application of the 34th State?

The SPEAKER pro tempore. There is no House rule.

Mr. CRAIG. I would like to thank the Speaker for that parliamentary response.

To my colleagues here in the House, I think what you have seen demonstrated this evening is not only are we so very close as a Congress to the point of having to deal with what I believe one of the most critical constitutional questions of the day, but that the State legislatures, in a responsible way, adhering to article V of the Constitution of this country may well by November of this year force upon this body a constitutional crisis unless this body responds in the responsible fashion under they are being requested by the 34 States, at which time will have made that application, to either do one of two things: to produce a constitutional amendment to send forth to the States for their ratification, or to develop a procedure and to allow to be convened a constitutional convention for the specific purpose of drafting an amendment, a constitutional amendment, requiring a balanced budget and limiting taxation to then be sent forth to our States of this Union for the purpose of their ratification.

Recent polling data now shows that over 83 percent of the American public are asking that this process go forth. I, and others, have stood in this well day after day, hour after hour, requesting that the possibility of a constitutional crisis can and should be avoided, that the chairman of the House Judiciary Committee could well convene that committee, begin hearings and issue forth an amendment, an amendment that already resides in that committee, for the purpose of this body's consideration. And if he were so inclined to do that, the possibility of a constitutional crisis could be averted.

Also, there is currently at the desk discharge petition No. 10. We are asking our colleagues here in the House to go forth and sign that, to move forward with 218 signatures to produce that amendment to the floor for the purpose of this body taking action on it.

Those are the options that are currently available, and the American public is speaking more loudly and clearly than they ever have that they want at least one of those options activated so they can begin to address their State legislatures for the purpose of ratifying what I believe to be the most important constitutional question to be addressed in many decades.

I would like to recognize my colleague from the State of Florida.

Mr. MACK. I thank the gentleman for yielding.

I just wanted to raise a point or two concerning the public discharge petition. Or did you mention that?

Mr. CRAIG. No.

Mr. MACK. At this point how many individuals have signed that, the public discharge? Do you have that available?

Mr. CRAIG. I believe 62 have signed the public discharge petition.

Mr. MACK. And is there an effort at this point being made to try to get others to sign that? And how do they go about doing it, I guess is the question.

Mr. CRAIG. The question has been asked as to a public discharge petition. Of course, we know that the discharge petition procedure here in the House is one of confidentiality. Members can sign and support the discharge petition in the purpose of addressing a specific piece of legislation.

In the effort with a constitutional amendment, because we believe it to be so critical, we are asking those who sign the discharge petition to sign a public honor roll or a public discharge petition to announce to their congressional districts and their constituencies that they stand strong and firmly in the support of the constitutional amendment.

Mr. MACK. I thank the gentleman.

Mr. CRAIG. I would like to thank my colleague from Florida, I would like to thank my colleague from Montana and my colleague from California, and all of those who joined with me in what I believe to be a most important special order, to once again tell this body the critical importance of moving ahead with speed on what I have said earlier and I will say again, as I so firmly believe, to be one of the most important issues of this time, and that is to produce a constitutional amendment to our Constitution requiring a federally balanced budget in concert with limiting taxation.

I yield back the balance of my time.

THE TAX SYSTEM AND FISCAL RESPONSIBILITY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan [Mr. SILJANDER] is recognized for 60 minutes.

Mr. SILJANDER. Mr. Speaker, as we are proceeding with a special order dealing with fiscal responsibility, I think it all appropriate in my special order tonight that we talk about the tax system in America and the fiscal responsibility that even extends beyond the balanced budget, which I so strongly endorse and think is crucial to the fiscal hopes and rationality of the future of our country.

Congress, in my opinion, is addicted to two things. We as a body are addicted to confusion and addicted to spending. Our answer has always been, each and every time there seems to be a

fiscal problem, specifically with deficit spending, the answer has always been: Raise more taxes, squeeze the American taxpayer further and further. That has always been the response.

I liken us to an addiction to spending simply because each and every time we feel we need to get higher on spending, our answer is: Shoot another fix in our vein of more taxes.

So, obviously and clearly, in order to bring an addict off of whatever he or she is addicted to, giving more or the same amount of drugs is not the answer. One must be weaned off of that. And that is why the strong endorsement from this Member of a balanced budget amendment. And on top of that, a strong endorsement of tax limitation.

In 1982, we were facing a mammoth, over \$150 billion deficit in 1983. So Congress scurried around to identify a solution for it, and we came up with the typical solution—a \$100 billion tax increase. That was the solution. Then in 1983, we scurried around after experiencing that huge deficit, even though we successfully passed and the President signed into law, the greatest tax increase in history, single tax increase in history, that in 1983, we found ourselves in a similar predicament. We rose gas taxes and also raised the taxes on Social Security. Predicting in 1984, that even with these tax increases, still it will be another devastating year for the deficit.

□ 1940

In 1984, what did we do? In 1984 we come up with the Tax Reform Act of 1984. I hope the cameras, so all the Members can see this clearly, those who are watching in their offices can see this clearly. This is a book that passed Congress, 1,023 pages of tax increases. However, in addition to all these pages of tax increases, there are 810 pages of explanations of the other 1,023 pages.

Incredible as it seems, the Congress requires 810 pages to explain 1,023.

I yield to the gentleman from California.

Mr. DANNEMEYER. This Member from California had noticed a special order for this evening, and some Members in the House may have been present in anticipation of that. However, I have another engagement that takes me away from the body this evening.

I thank my colleague for yielding.

Mr. SILJANDER. It is quite a pleasure to yield to the gentleman from California, who, incidentally, is one of the leaders in this Congress for fiscal and monetary responsibility.

Mr. Speaker, back to plank in hand, literally, this document reflects again the same old addiction. This fix, as I said, is 1,023 pages of new taxes, loophole pluggings, and all types of other