

CONSTITUTIONAL CONVENTION / BALANCED BUDGET AMENDMENT

Understanding the Threat & What Can be Done

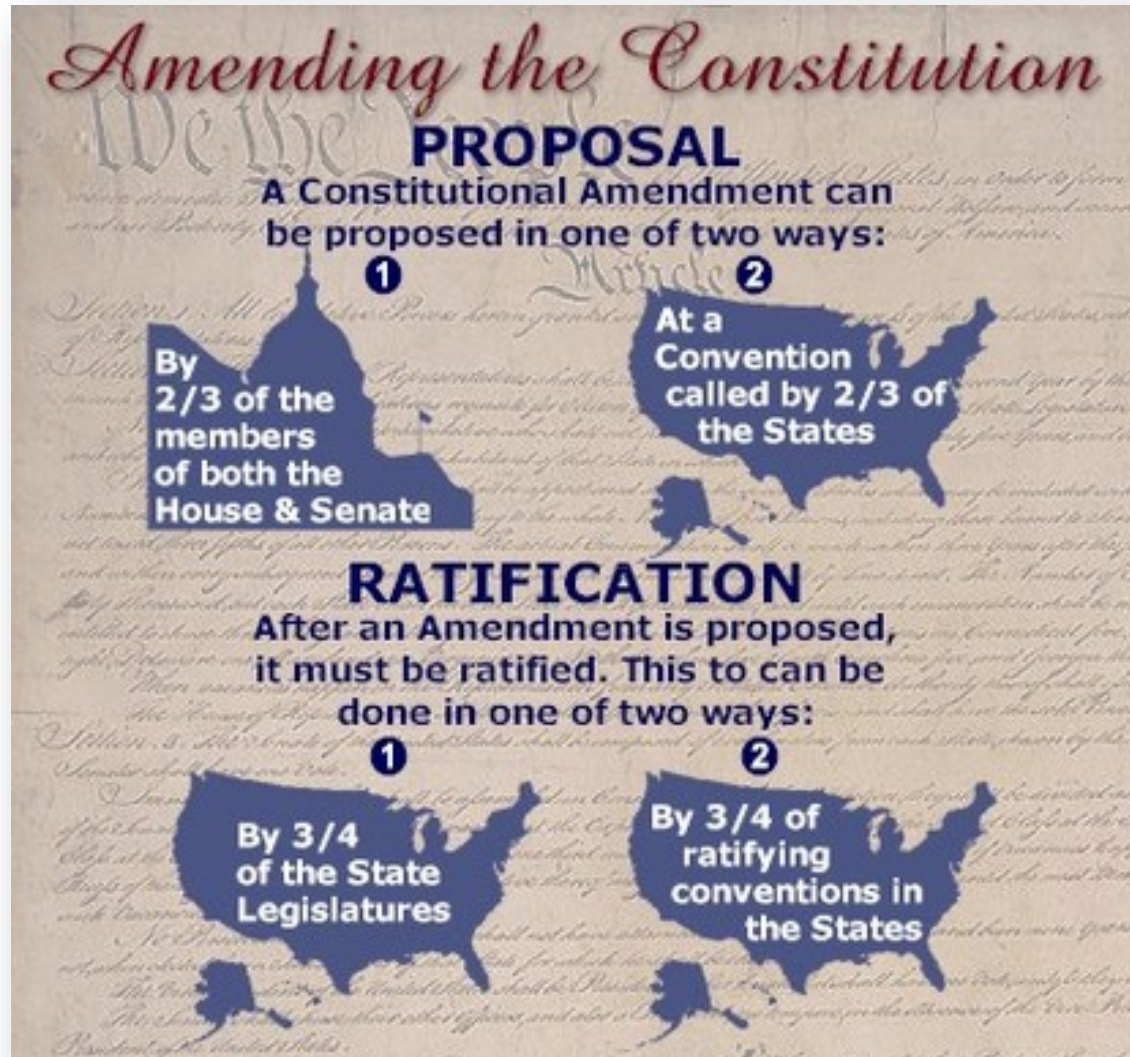
April 12th, 2016

AMENDING *the* **CONSTITUTION** *context and overview of the threat*



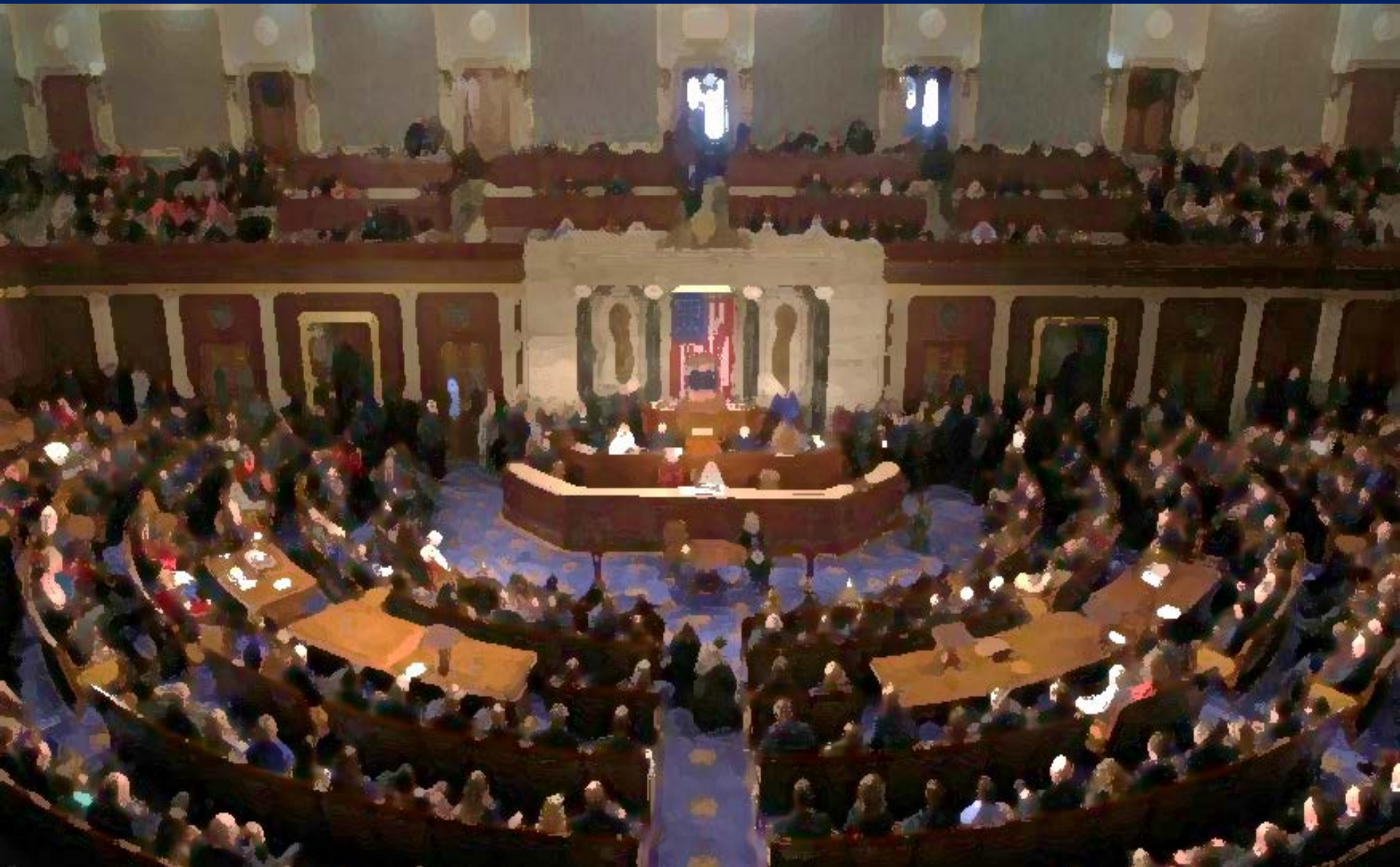
AMENDING *the* CONSTITUTION

context and overview of the threat



BALANCED BUDGET AMENDMENT

context and overview of the threat



BALANCED BUDGET AMENDMENT

it's BAAACK



RESOLUTIONS *invoking* **ARTICLE V** *the specific measures*

- **ALEC's model resolution - BBA**

“in the absence of a national emergency the total of all Federal outlays for any fiscal year may not exceed the total of all estimated Federal revenues for that fiscal year, together with any related and appropriate fiscal constraints.”



BALANCED BUDGET AMENDMENT

why is it a bad idea?

A balanced budget amendment would be extremely damaging to states and to the country.

- **Longer, deeper recessions costing jobs**
- **Puts Social Security and retiree assistance programs in jeopardy**
- **Threatens federal support for states**
- **Includes other damaging provisions**



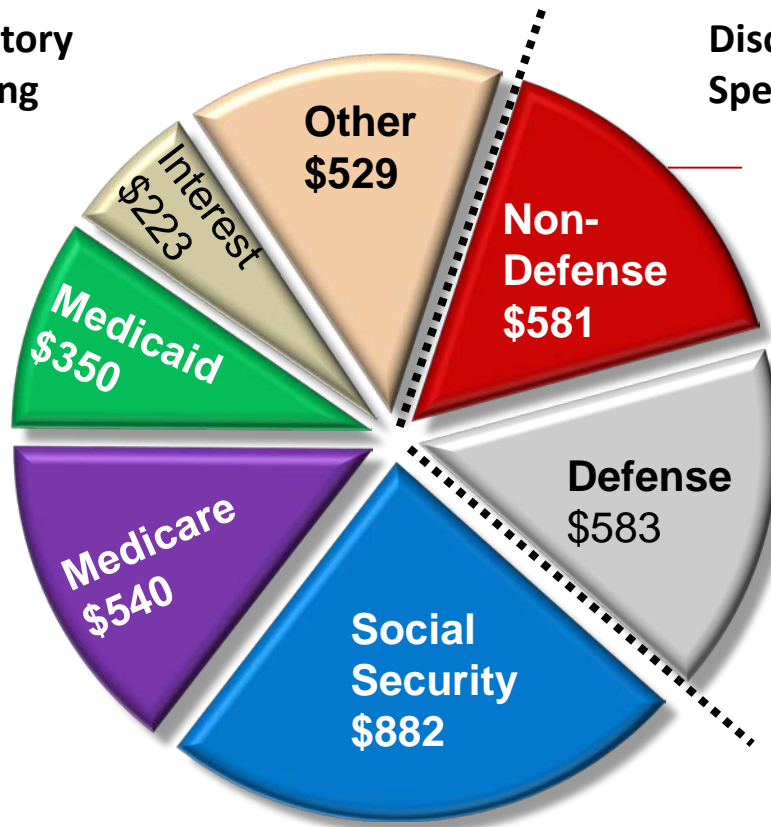
Federal Spending by Category

In FY 2015 = \$3.688 Trillion

shown in billions

**Mandatory
Spending**

**Discretionary
Spending**



Includes all other disability-related programs, such as:

HOUSING

[Section 811 Supportive Housing](#)

EDUCATION

[IDEA State Grant \(Part B\)](#)

[IDEA Early Intervention \(Part C\)](#)

[IDEA Preschool Grants](#)

EMPLOYMENT

[Supported Employment State Grant](#)

[Vocational Rehabilitation State Grant](#)

PROTECTION & ADVOCACY

[Development Disabilities Councils](#)

[Protection & Advocacy System](#)

HEALTH & RESEARCH

[Nat'l Center on Birth Defects & DD](#)

[Maternal & Child Health Block Grant](#)

FAMILY SUPPORT

[Lifespan Respite Care Act](#)

SOCIAL SERVICES

[Social Services Block Grant](#)

TRANSPORTATION

[Section 5310 Program](#)

Source: Fiscal Year 2017 Budget of the U.S. Government, Table S-4



Non-Defense Discretionary (NDD) Programs Shrinking Funding Since 2010

(factoring in inflation)

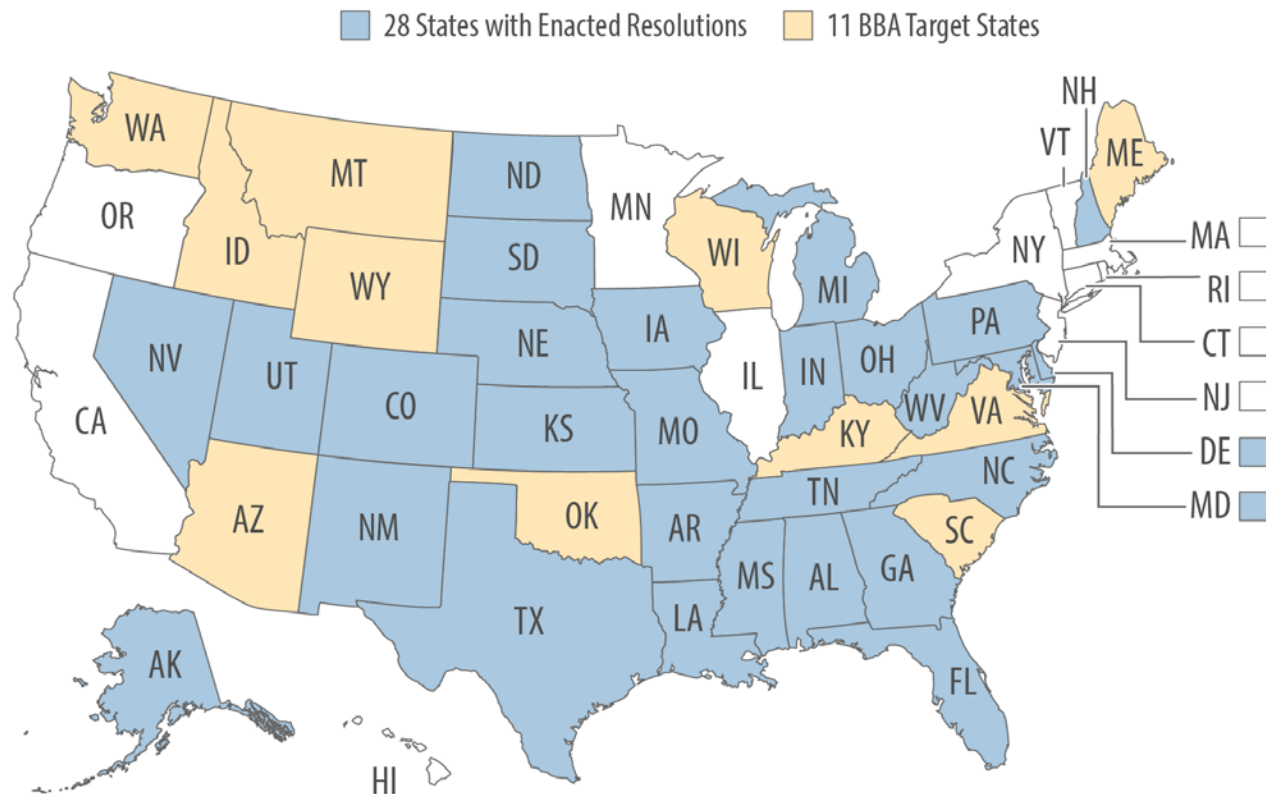
Selected Examples (in \$ millions):

	FY 2010	FY 2016	\$ change	% change
Adult Job Training	861.5	815.6	-132.1	-13.9%
Social Services Block Grant	1,785	1,700	-263.6	-13.4%
IDEA Grants to States	11,505	11,912.8	-743.7	-5.9%
Sec. 811 Housing	300	151	-179	-54.2%

DEVELOPMENTS *in* STATES

BBA resolutions – enacted/threats

Constitutional Convention to Enact a Balanced Budget Amendment: Enacted and Targeted States



RESOLUTIONS *invoking* **ARTICLE V** *the specific measures*

- **Convention of States Project**

“to impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and for members of Congress.”

DEVELOPMENTS *in* STATES

Constitutional Convention to Limit Federal Powers and Spending





A CONSTITUTIONAL CONVENTION

why is it a bad idea?

- **Throw the Country into Turmoil, Hurting the Economy.**
- **States can't control what will happen.**
- **The Constitution has served us well for 225 years.**
- **Convention could change Article V itself.**

A CONSTITUTIONAL CONVENTION

why is it a bad idea?

Professor Laurence Tribe, Harvard Law



***“what you’re doing is
putting the whole
constitution up for
grabs.”***

A CONSTITUTIONAL CONVENTION

why is it a bad idea?

U.S. Supreme Court Justice Antonin Scalia



“... I certainly would not want a Constitutional convention. Whoa! Who knows what would come out of it?”

CONSTITUTIONAL CONVENTION / BBA

what to watch for & what to do

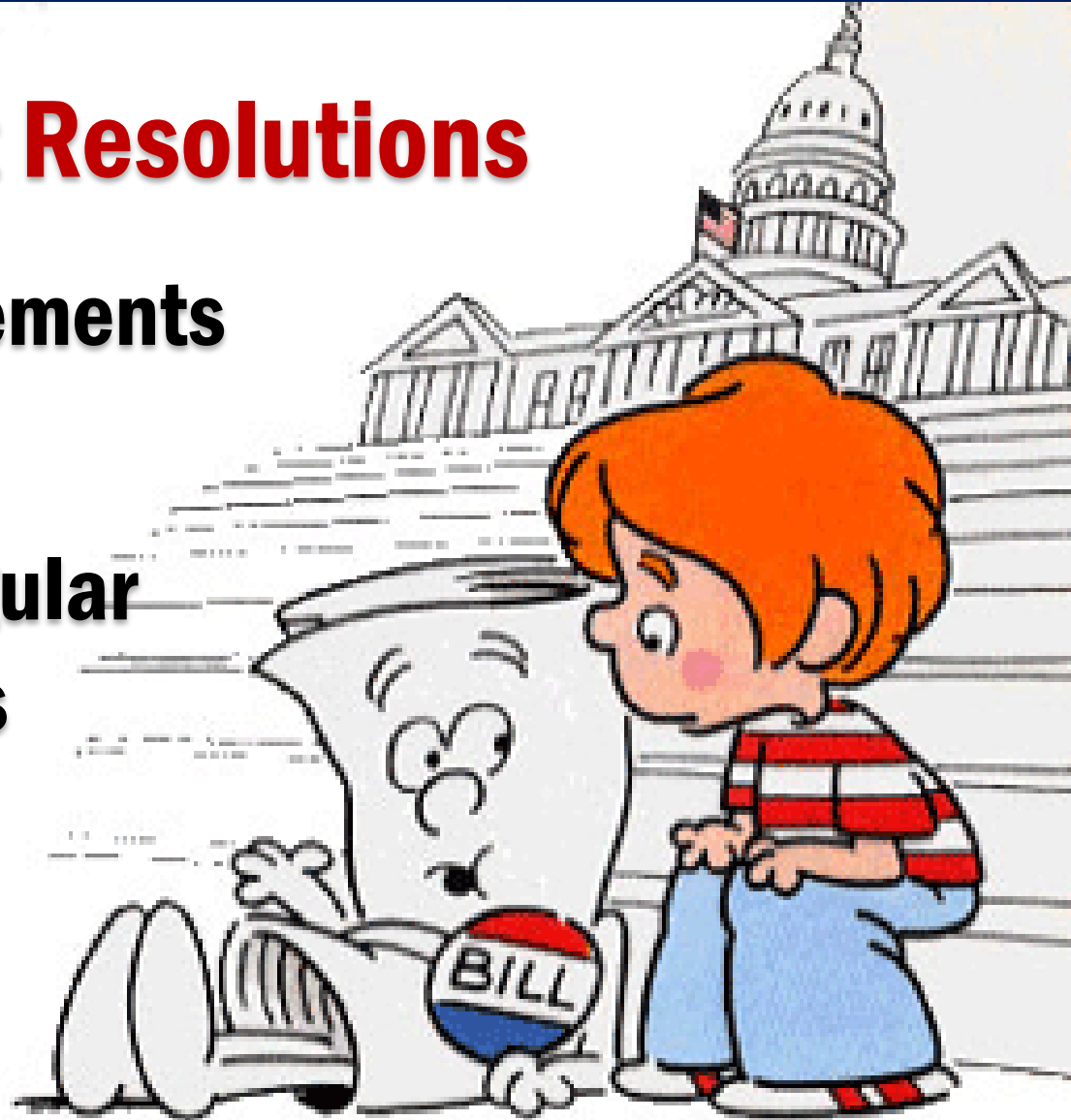


CONSTITUTIONAL CONVENTION / BBA

legislative process

State Concurrent Resolutions

- **Non-binding, statements of intent**
- **Maybe outside regular legislative process**
- **No executive approval needed**



TALKING POINTS

- **Runaway Convention**
- **Calls for a constitutional convention could put our most cherished freedoms, rights, and protections in jeopardy.**
- **A balanced budget amendment would cause more severe and frequent recessions, and hurt our most vulnerable.**
- **Special interests and lobbyists would likely play an influential role.**
- **Who are the delegates? How many votes would each state get?**

ADDRESSING THE THREAT

developing your strategy

- **Educate and engage members of your organization and partners**
- **Encourage meetings with state legislative leadership**
- **Identify spokespersons for hearings / media**
(board members / constitutional scholars / former judges)
- **Weigh an *Inside* versus an *Outside* strategy**

ADDRESSING THE THREAT

resources





40+ independent, nonprofit research, and policy organizations, including:

Arizona

[Children's Action Alliance](#)

4001 N. 3rd. Street, Suite 160
Phoenix, AZ 85012
Director: Karen McLaughlin
Phone: 602-266-0707

Kentucky

[Kentucky Center for Economic Policy](#)

433 Chestnut Street
Berea, KY 40403
Director: Jason Bailey
Phone: 859-986-2373

Montana

[Montana Budget and Policy Center](#)

910 E. Lyndale, Suite A
Helena, MT 59601
Co-Directors: Heather O'Loughlin and Tara Jensen
Phone: 406-422-7320

Idaho

[Idaho Center for Fiscal Policy](#)

1607 West Jefferson Street
Boise, Idaho 83702
Director: Lauren Necochea
Phone: 208-388-1014

Maryland

[Maryland Center on Economic Policy](#)

1500 Union Avenue, Suite 2500
Baltimore, MD 21201
Director: Benjamin Orr
Phone: 410-412-9105

Oklahoma

[Oklahoma Policy Institute](#)

907 S. Detroit, Suite 1005
Tulsa, OK 74105
Director: David Blatt
Phone: 918-794-3944



Virginia

[The Commonwealth Institute for Fiscal Analysis](#)

1329 E. Cary St., Suite 202
Richmond, VA 23219
Director: Michael Cassidy
Phone: 804-396-2051

Wisconsin

[Wisconsin Budget Project](#)

555 West Washington Avenue
Madison, WI 53703
Director: Jon Peacock
Phone: 608-284-0580

Washington

[Washington Budget and Policy Center](#)

1402 Third Avenue, Suite 1215
Seattle, WA 98101
Director: Misha Werschkul
Phone: 206-262-0973

West Virginia

[West Virginia Center on Budget and Policy](#)

723 Kanawha Blvd. E., Suite 300
Charleston, WV 25301-2727
Director: Ted Boettner
Phone: 304-720-8682

See all at : <http://statepriorities.org/state-priorities-partners/>

CALLS FOR CONSTITUTIONAL CONVENTION

questions from you

