



EXHIBIT 1
DATE 4-6-05
NB HJ40

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Montana Legislative Services Division
Office of Research and Policy Analysis

To: Representative Christopher Harris
Fr: Christopher Lohse, Legislative Research Analyst *CL*
Re: Congressional models for balanced budget requests
Date: 4 April 2005

Dear Representative Harris:

Included as attachments to this brief memo are three congressional resolutions introduced in the 109th Congress related to a Constitutional Balanced Budget Amendment. Though our conversation referenced the possibility of additional resolutions, this list of included resolutions is, to my knowledge, exhaustive:

- **House Joint Resolution 6**, brought by Rep. Emerson (4 January 2005)
- **Senate Joint Resolution 2**, brought by Sen. Craig (24 January 2005)
- **House Joint Resolution 22**, brought by Rep. Cooper, et. al. (17 February 2005)

I have also placed a request with our legislative research librarian relative to your initial inquiry. Should her search yield additional legislation, I will bring those to your attention.

Please let me know of any additional ways in which I may assist your work.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Lohse".

Christopher Lohse
Legislative Research Analyst

Attachments: HJ 6
 SJ 2
 HJ 22

HJ 22 IH

109th CONGRESS

1st Session

H. J. RES. 22

Proposing a balanced budget amendment to the Constitution of the United States.

IN THE HOUSE OF REPRESENTATIVES**February 17, 2005**

Mr. COOPER (for himself, Mr. CARDOZA, Mr. MATHESON, Mr. BOYD, Mr. ROSS, Mr. BARROW, Mr. CASE, Mr. MICHAUD, Mr. DAVIS of Tennessee, Mr. SALAZAR, Ms. HARMAN, Mr. THOMPSON of California, Mr. COSTA, Mr. BOSWELL, Ms. HERSETH, Mr. MOORE of Kansas, Mr. SCOTT of Georgia, Mr. CHANDLER, Mr. TANNER, Mr. FORD, Mr. BERRY, Mr. MCINTYRE, Mr. BISHOP of Georgia, and Mr. TAYLOR of Mississippi) introduced the following joint resolution; which was referred to the Committee on the Judiciary

JOINT RESOLUTION

Proposing a balanced budget amendment to the Constitution of the United States.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years after the date of its submission for ratification:

Article --

SECTION 1. Total outlays for any fiscal year shall not exceed total receipts for that fiscal year, unless three-fifths of the whole number of each House of Congress shall provide by law for a specific excess of outlays over receipts by a rollcall vote.

SECTION 2. The limit on the debt of the United States held by the public shall not be increased, unless three-fifths of the whole number of each House shall provide by law for such an increase by a rollcall vote.

SECTION 3. Prior to each fiscal year, the President shall transmit to the Congress a proposed budget for the United States Government for that fiscal year in which total outlays do not exceed total receipts.

SECTION 4. No bill to increase revenue shall become law unless approved by a majority of the whole number of each House by a rollcall vote.

'SECTION 5. The Congress may waive the provisions of this article for any fiscal year in which a declaration of war is in effect. The provisions of this article may be waived for any fiscal year in which the United States is engaged in military conflict which causes an imminent and serious military threat to national security and is so declared by a joint resolution, adopted by a majority of the whole number of each House, which becomes law.

'SECTION 6. The Congress shall enforce and implement this article by appropriate legislation, which may rely on estimates of outlays and receipts. The appropriate committees of the House of Representatives and the Senate shall report to their respective Houses implementing legislation to achieve a balanced budget without increasing the receipts or reducing the disbursements of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund to achieve that goal.

'SECTION 7. Total receipts shall include all receipts of the United States Government except those derived from borrowing. Total outlays shall include all outlays of the United States Government except for those for repayment of debt principal.

'SECTION 8. This article shall take effect beginning with the later of the second fiscal year beginning after its ratification or the first fiscal year beginning after December 31, 2009.'

END

SJ 2 IS

109th CONGRESS

1st Session

S. J. RES. 2

Proposing an amendment to the Constitution of the United States relative to require a balanced budget and protect Social Security surpluses.

IN THE SENATE OF THE UNITED STATES

January 24, 2005

Mr. CRAIG introduced the following joint resolution; which was read twice and referred to the Committee on the Judiciary

JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States relative to require a balanced budget and protect Social Security surpluses.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years after the date of its submission by the Congress:

Article —

SECTION 1. Total outlays for any fiscal year shall not exceed total receipts for that fiscal year, unless three-fifths of the whole number of each House of Congress shall provide by law for a specific excess of outlays over receipts by a rollcall vote.

SECTION 2. Total receipts shall include all receipts of the United States Government except those derived from borrowing. Total outlays shall include all outlays of the United States Government except for those for repayment of debt principal.

SECTION 3. Any surplus of receipts (including attributable interest) over outlays of the Federal Old-Age and Survivors Insurance and the Federal Disability Insurance Trust Funds shall not be counted for purposes of this article. Any deficit of receipts (including attributable interest) relative to outlays of the Federal Old-Age and Survivors Insurance and the Federal Disability Insurance Trust Funds shall be counted for purposes of this article, and must be completely offset by a surplus of all other receipts over all other outlays.

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

by a rollcall vote.

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

`SECTION 6. No bill to increase revenue shall become law unless approved by a majority of the whole number of each House by a rollcall vote.

`SECTION 7. The Congress may waive the provisions of this article for any fiscal year in which a declaration of war is in effect. The provisions of this article may be waived for any fiscal year in which the United States is engaged in military conflict which causes an imminent and serious military threat to national security and is so declared by a joint resolution, adopted by a majority of the whole number of each House, which becomes law.

`SECTION 8. The Congress shall enforce and implement this article by appropriate legislation, which may rely on estimates of outlays and receipts.

`SECTION 9. This article shall take effect the second fiscal year beginning after its ratification.!

END

HJ 6 IH

109th CONGRESS

1st Session

H. J. RES. 6

Proposing an amendment to the Constitution to provide for a balanced budget for the United States Government and for greater accountability in the enactment of tax legislation.

IN THE HOUSE OF REPRESENTATIVES

January 4, 2005

Mrs. EMERSON introduced the following joint resolution; which was referred to the Committee on the Judiciary

JOINT RESOLUTION

Proposing an amendment to the Constitution to provide for a balanced budget for the United States Government and for greater accountability in the enactment of tax legislation.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years after the date of its submission for ratification: the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution if ratified by the legislatures of three-fourths of the several States within seven years after its submission to the States for ratification:

Article --

SECTION 1. Prior to each fiscal year, the Congress and the President shall agree on an estimate of total receipts for that fiscal year by enactment into law of a joint resolution devoted solely to that subject. Total outlays for that year shall not exceed the level of estimated receipts set forth in such joint resolution, unless three-fifths of the total membership of each House of Congress shall provide, by a rollcall vote, for a specific excess of outlays over estimated receipts.

SECTION 2. Whenever actual outlays exceed actual receipts for any fiscal year, the Congress shall, in the ensuing fiscal year, provide by law for the repayment of such excess. The public debt of the United States shall not be increased unless three-fifths of the total membership of each House shall provide by law for such an increase by a rollcall vote.

SECTION 3. Prior to each fiscal year, the President shall transmit to the Congress a proposed budget for the United States Government for that fiscal year in which total outlays do not exceed total receipts.

SECTION 4. No bill to increase revenue shall become law unless approved by a majority of the total membership of each House by a rollcall vote.

SECTION 5. The provisions of this article are waived for any fiscal year in which a declaration of war is in effect.

SECTION 6. Total receipts shall include all receipts of the United States except those derived from borrowing. Total outlays shall include all outlays of the United States except for those for repayment of debt principal.

SECTION 7. This article shall take effect beginning with the second fiscal year after its ratification.

END