

HOUSE BILL 647

Introduced by Bergsagel, et al.

2/17	Introduced
2/17	Referred to Appropriations
2/17	First Reading
3/04	Hearing
3/18	Committee Report--Bill Passed as Amended
3/26	Missed Transmittal Deadline

1 House BILL NO. 647
 2 INTRODUCED BY Bergeson 1 CRIVOS Tash
 3 James Mason Fisher York Storall Sam Nelson ORR
 4 Wood Butterfield Blum M. Hanson Kaster Bird
 5 Wm E Boharski Tom O'Malley Stephen Rehbein
 6 A BILL FOR AN ACT ENTITLED: "AN ACT SUBMITTING TO THE
 7 QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE VIII
 8 OF THE CONSTITUTION OF THE STATE OF MONTANA TO PLACE A LIMIT
 9 ON STATE GOVERNMENT SPENDING."

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

11 **Section 1.** Article VIII of The Constitution of the
 12 State of Montana is amended by adding a new section 15 that
 13 reads:

14 **Section 15. State spending limit.** (1) There is a
 15 spending limit for state government. The legislature may not
 16 appropriate more than 97% of the average of the total
 17 revenue from the previous two bienniums unless the excess
 18 appropriation is authorized by a two-thirds vote of each
 19 house of the legislature. The remaining 3% of revenue shall
 20 be used to create ending fund balances or be deposited in an
 21 account to be used in the event of a revenue shortfall.

22 (2) For purposes of this section, the following
 23 definitions apply:

24 (a) "Fiscal period" means the two-year appropriation
 25 period for state government enacted to correspond with
 biennial legislative sessions and the one-year appropriation

1 period enacted to correspond with annual legislative
 2 sessions.

3 (b) "Revenue" means funds received from all sources
 4 except:

- 5 (i) gifts;
- 6 (ii) funds received from the federal government;
- 7 (iii) receipts from a governmental enterprise that is
- 8 not tax-supported;
- 9 (iv) bond proceeds;
- 10 (v) tax settlements; and
- 11 (vi) funds carried over from a previous fiscal year.

12 **NEW SECTION. Section 2.** Submission to electorate. This
 13 amendment shall be submitted to the qualified electors of
 14 Montana at the general election to be held in November 1994
 15 by printing on the ballot the full title of this act and the
 16 following:

- 17 ☐ FOR limiting government spending.
- 18 ☐ AGAINST limiting government spending.

-End-

CONSTITUTIONAL AMENDMENT

APPROVED BY COMMITTEE
ON APPROPRIATIONS

HOUSE BILL NO. 647

INTRODUCED BY BERGSAGEL, GRINDE, TASH, CLARK,
KNOX, MASON, FISHER, ZOOK, STOVALL, T. NELSON,
ORR, VOGEL, DEBRUYCKER, GRIMES, M. HANSON,
KASTEN, BIRD, BOHARSKI, SIMON, BOHLINGER,

SIMPKINS, REHBEIN

A BILL FOR AN ACT ENTITLED: "AN ACT SUBMITTING TO THE
QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE VIII
OF THE CONSTITUTION OF THE STATE OF MONTANA TO PLACE A LIMIT
ON STATE GOVERNMENT SPENDING."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Article VIII of The Constitution of the
State of Montana is amended by adding a new section 15 that
reads:

Section 15. State spending limit. (1) There is a
spending limit for state government. The legislature may not
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revenue from the previous two bienniums unless the excess
appropriation is authorized by a two-thirds vote of each
house of the legislature. The remaining 3% of revenue shall
be used to create ending fund balances or be deposited in an
account to be used in the event of a revenue shortfall.

(2) For purposes of this section, the following

definitions apply:

(a) "Fiscal period" means the two-year appropriation
period for state government enacted to correspond with
biennial legislative sessions and the one-year appropriation
period enacted to correspond with annual legislative
sessions.

(b) "Revenue" means funds received from all sources
except:

(i) gifts;

(ii) funds received from the federal government;

(iii) receipts from a governmental enterprise that is
not tax supported;

(iv) bond proceeds;

(v) tax settlements; and

(vi) funds carried over from a previous fiscal year.

THERE IS A GENERAL FUND SPENDING LIMIT FOR STATE GOVERNMENT.

THE LEGISLATURE MAY NOT APPROPRIATE OR OTHERWISE AUTHORIZE

THE DISBURSEMENT OF MORE THAN 97% OF THE AVERAGE OF THE

TOTAL SUMS OF REVENUE FROM OTHER FINANCING SOURCES AND

ENDING FUND BALANCES FROM THE PREVIOUS TWO BIENNIUMS UNLESS

THE EXCESS APPROPRIATION IS AUTHORIZED BY A TWO-THIRDS VOTE

OF EACH HOUSE OF THE LEGISLATURE. THE REMAINING REVENUE MUST

BE USED TO CREATE ENDING FUND BALANCES OR BE DEPOSITED IN AN

ACCOUNT TO BE USED IN THE EVENT OF A REVENUE SHORTFALL.

NEW SECTION. **Section 2.** Submission to electorate. This

1 amendment shall be submitted to the qualified electors of
2 Montana at the general election to be held in November 1994
3 by printing on the ballot the full title of this act and the
4 following:

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