

THE NUMBER AND FORM IN WHICH THE QUESTION WILL
APPEAR UPON THE OFFICIAL BALLOT AT THE
GENERAL ELECTION, NOVEMBER 2, 1948,
IS AS FOLLOWS:

REFERENDUM MEASURE NO. 51

"AN ACT PROVIDING FOR THE INCREASE OF THE RATE OF TAXATION ON REAL AND PERSONAL PROPERTY FOR STATE PURPOSES OF NOT TO EXCEED SIX (6) MILLS ON EACH DOLLAR OF TAXABLE VALUATION, IN ADDITION TO THE LEVY WHICH IS NOW OR MAY BE HEREAFTER AUTHORIZED BY SECTION 9 OF ARTICLE XII OF THE CONSTITUTION OF THE STATE OF MONTANA, FOR A PERIOD OF TEN (10) YEARS BEGINNING WITH THE YEAR 1949, AND TO AUTHORIZE AND EMPOWER THE LEGISLATIVE ASSEMBLY TO LEVY A TAX FOR EACH YEAR DURING SUCH PERIOD OF AN ADDITIONAL LEVY OF NOT TO EXCEED SIX (6) MILLS ON EACH DOLLAR OF TAXABLE VALUATION FOR THE SUPPORT, MAINTENANCE AND IMPROVEMENT OF THE SIX UNITS NOW COMPRISING THE UNIVERSITY OF MONTANA, TOGETHER WITH THE AGRICULTURAL EXPERIMENT STATION AND ITS BRANCHES AND SUBSTATIONS, AND THE AGRICULTURAL EXTENSION SERVICE, INCLUDING THE SOIL SURVEY AND THE GRAIN LABORATORY AND TO APPROPRIATE SO MUCH OF THE MONEY DERIVED THEREFROM FOR EACH YEAR DURING SAID PERIOD AS MAY BE NECESSARY FOR SAID PURPOSES, AND PROVIDING FOR THE SUBMISSION OF THIS ACT TO THE QUALIFIED ELECTORS OF THE STATE OF MONTANA AT THE NEXT GENERAL ELECTION DESCRIBING THE FORM OF BALLOTS TO BE USED AND THE DUTIES OF THE SECRETARY OF STATE OF THE STATE OF MONTANA RELATIVE TO THE SUBMISSION OF SAID ACT TO THE QUALIFIED ELECTORS OF SAID STATE; PROVIDING WHEN THIS ACT SHALL TAKE EFFECT, AND PROVIDING FOR REPEAL OF CHAPTER 143 OF THE LAWS OF 1939 AND ALL OTHER ACTS AND PARTS OF ACTS IN CONFLICT HEREWITH UPON APPROVAL OF THIS ACT BY A MAJORITY OF ALL VOTES CAST AT THE REFERENDUM ELECTION HEREIN PROVIDED."

☐ FOR THE LEVY OF THE UNIVERSITY, AGRICULTURAL
EXPERIMENT STATIONS AND EXTENSION SERVICE.

☐ AGAINST THE LEVY FOR THE UNIVERSITY, AGRICUL-
TURAL AND EXPERIMENT STATIONS AND EXTEN-
SION SERVICE.

CHAPTER 217

AN ACT PROVIDING FOR THE INCREASE OF THE RATE OF TAXATION ON REAL AND PERSONAL PROPERTY FOR STATE PURPOSES OF NOT TO EXCEED SIX (6) MILLS ON EACH DOLLAR OF TAXABLE VALUATION, IN ADDITION TO THE LEVY WHICH IS NOW OR MAY BE HEREAFTER AUTHORIZED BY SECTION 9 OF ARTICLE XII OF THE CONSTITUTION OF THE STATE OF MONTANA, FOR A PERIOD OF TEN (10) YEARS BEGINNING WITH THE YEAR 1949, AND TO AUTHORIZE AND EMPOWER THE LEGISLATIVE ASSEMBLY TO LEVY A TAX FOR EACH YEAR DURING SUCH PERIOD OF AN ADDITIONAL LEVY OF NOT TO EXCEED SIX (6) MILLS ON EACH DOLLAR OF TAXABLE VALUATION FOR THE SUPPORT, MAINTENANCE AND IMPROVEMENT OF THE SIX UNITS NOW COMPRISING THE UNIVERSITY OF MONTANA, TOGETHER WITH THE AGRICULTURAL EXPERIMENT STATION AND ITS BRANCHES AND SUBSTATIONS, AND THE AGRICULTURAL EXTENSION SERVICE, INCLUDING THE SOIL SURVEY AND THE GRAIN LABORATORY AND TO APPROPRIATE SO MUCH OF THE MONEY DERIVED THEREFROM FOR EACH YEAR DURING SAID PERIOD AS MAY BE NECESSARY FOR SAID PURPOSES, AND PROVIDING FOR THE SUBMISSION OF THIS ACT TO THE QUALIFIED ELECTORS OF THE STATE OF MONTANA AT THE NEXT GENERAL ELECTION, DESCRIBING THE FORM OF BALLOTS TO BE USED AND THE DUTIES OF THE SECRETARY OF STATE OF THE STATE OF MONTANA RELATIVE TO THE SUBMISSION OF SAID ACT TO THE QUALIFIED ELECTORS OF SAID STATE; PROVIDING WHEN THIS ACT SHALL TAKE EFFECT, AND PROVIDING FOR REPEAL OF CHAPTER 143 OF THE LAWS OF 1939 AND ALL OTHER ACTS AND PARTS OF ACTS IN CONFLICT HERewith UPON APPROVAL OF THIS ACT BY A MAJORITY OF ALL VOTES CAST AT THE REFERENDUM ELECTION HEREIN PROVIDED.

Be it enacted by the Legislative Assembly of the State of Montana:

Section 1. That the rate of taxation on real and personal property for state purposes, as is hereafter defined, for each year for a period of ten (10) years beginning with the year 1949, shall be increased six (6) mills on each dollar of taxable valuation in addition to the levy which is now or may hereafter be authorized by Section 9 of Article XII of the constitution of the State of Montana, and the legislative assembly is authorized and empowered to levy an additional tax for state purposes for each of said years of not exceeding six (6) mills on each dollar of taxable valuation for state purposes, and all money derived from said additional levy of six (6) mills for each of said years or so much thereof as may be necessary shall be appropriated by the legislative assembly for the support, maintenance and improvement of the state university at Missoula, the state college of agriculture and mechanic arts at Bozeman, the Montana state school of mines at Butte, the Montana state normal college at Dillon, the eastern Montana state normal school at Billings, and the northern Montana college at Havre, now comprising the units of the university of Montana, together with the agricultural experiment station and its branches and substations, and the agricultural extension service, including the soil survey and grain laboratory.

Section 2. There shall be a referendum upon this act, and the secretary of state of the state of Montana is hereby required and it is made his duty to submit this act to the people of the State of Montana for their approval or rejection at the general election to be held in November, 1948, in accordance with the provisions of the constitution and the laws of the State of Montana relative thereto; the title and number of this referendum act shall be printed upon the official

ballot used at said election. Irrespective of the provisions of Section 103, Revised Codes of Montana, 1935, such title shall read as follows:

An act providing for the increase of the rate of taxation on real and personal property for state purposes of not to exceed six (6) mills on each dollar of taxable valuation, in addition to the levy which is now or may be hereafter authorized by Section 9 of Article XII of the constitution of the State of Montana, for a period of ten (10) years beginning with the year 1949, and to authorize and empower the legislative assembly to levy a tax for each year during such period of an additional levy of not to exceed six (6) mills on each dollar of taxable valuation for the support, maintenance and improvement of the six units now comprising the university of Montana, together with the agricultural experiment station and its branches and substations, and the agricultural extension service, including the soil survey and the grain laboratory and to appropriate so much of the money derived therefrom for each year during said period as may be necessary for said purposes, and providing for the submission of this act to the qualified electors of the State of Montana at the next general election describing the form of ballots to be used and the duties of the secretary of state of the State of Montana relative to the submission of said act to the qualified electors of said state; providing when this act shall take effect, and providing for repeal of Chapter 143 of the laws of 1939 and all other acts and parts of acts in conflict herewith upon approval of this act by a majority of all votes cast at the referendum election herein provided.

Below the said title of the act on said ballot there shall be printed the words and squares:

☐

For the levy for the University, Agricultural Experiment Stations and Extension Service.

☐

Against the levy for the University, Agricultural and Experiment Stations and Extension Service.

Each qualified elector shall designate his preference by marking an "X" in the square before the proposition for which such elector desires to vote.

Section 3. The vote upon this referendum act shall be counted and canvassed as is provided by law and if a majority of all votes cast at such election for and against such referendum act shall be in favor of the act, the governor of the State of Montana shall immediately so declare by public proclamation.

Section 4. This act shall be in full force and effect from and after its passage by this legislative assembly, approval by a majority vote of the qualified electors and proclamation of the governor thereafter; provided, however, nothing contained herein shall be construed to or shall in any manner effect a repeal of Chapter 143 of the laws of 1939 unless a majority of all votes cast at the referendum election herein provided shall be in favor of this act. Upon approval of this act by a majority of all votes cast at the referendum election herein provided, Chapter 143 of the laws of 1939 and all other acts and parts of acts in conflict herewith shall be hereby repealed.

Approved March 6, 1947.

ON THE QUESTION OF AMENDING
SECTION 39 OF ARTICLE V
OF THE CONSTITUTION OF THE STATE OF MONTANA
RELATING
TO
THE REMISSION OF CERTAIN DELINQUENT PERSONAL
PROPERTY TAXES AND THE CANCELLATION OF CERTAIN
OBLIGATIONS HELD BY COUNTIES, THE COLLECTION OF
WHICH IS BARRED BY THE STATUTE OF LIMITATIONS.

The following is a true and exact copy of the PROPOSED AMENDMENT of Section 39, Article V. of the Constitution of the State of Montana:

Section 39.

Except as hereinafter provided.

No obligation or liability of any person, association or corporation, held or owned by the State, or any municipal corporation therein, shall ever be exchanged, transferred, remitted, released or postponed, or in any way diminished by the Legislative Assembly; nor shall such liability or obligation be extinguished, except by the payment thereof into the proper treasury.

It shall however, be lawful for the legislative assembly, in such manner as it may direct, to authorize the cancellation of any personal property taxes which are not a lien on real estate and which have been delinquent for ten (10) years or more.

It shall also be lawful for the legislative assembly, in such manner as it may direct, to authorize the cancellation of any contractual obligation owed to or held by a county, for seed grain, feed or other relief, the collection of which obligation is barred by the statute of limitations.

The following is a true and exact copy of Section 39, Article V. of the Constitution of the State of Montana as it exists at the present time:

SECTION 39.

No obligation or liability of any person, association or corporation, held or owned by the state, or any municipal corporation therein, shall ever be exchanged, transferred, remitted, released or postponed, or in any way diminished by the legislative assembly; nor shall such liability or obligation be extinguished, except by the payment thereof into the proper treasury.

THE FORM IN WHICH THIS QUESTION
WILL BE PRINTED ON THE OFFICIAL BALLOT AT
THE GENERAL ELECTION, NOVEMBER 2, 1948
IS AS FOLLOWS:

AN ACT TO PROVIDE FOR THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE STATE OF MONTANA OF AN AMENDMENT TO SECTION 39 OF ARTICLE V OF THE CONSTITUTION OF THE STATE OF MONTANA, RELATING TO THE REMISSION OF CERTAIN DELINQUENT PERSONAL PROPERTY TAXES AND THE CANCELLATION OF CERTAIN OBLIGATIONS HELD BY COUNTIES, THE COLLECTION OF WHICH IS BARRED BY THE STATUTE OF LIMITATIONS.

☐

FOR THE ABOVE AMENDMENT.

☐

AGAINST THE ABOVE AMENDMENT.

CHAPTER 197

AN ACT TO PROVIDE FOR THE SUBMISSION TO THE QUALIFIED ELECTORS OF THE STATE OF MONTANA OF AN AMENDMENT TO SECTION 39 OF ARTICLE V OF THE CONSTITUTION OF THE STATE OF MONTANA, RELATING TO THE REMISSION OF CERTAIN DELINQUENT PERSONAL PROPERTY TAXES AND THE CANCELLATION OF CERTAIN OBLIGATIONS HELD BY COUNTIES, THE COLLECTION OF WHICH IS BARRED BY THE STATUTE OF LIMITATIONS.

Be it enacted by the Legislative Assembly of the State of Montana:

Section 1. That Section 39 of Article V of the Constitution of the State of Montana be amended as hereinafter provided, that the question of such amendment be submitted to the qualified electors of the State of Montana at the general election to be held in November, 1948.

Section 2. That Section 39 of Article V of the Constitution of the State of Montana be, and the same is hereby amended to read as follows:

"Section 39. Except as hereinafter provided, no obligation or liability of any person, association or corporation, held or owned by the state, or any municipal corporation therein, shall ever be exchanged, transferred, remitted, released or postponed, or in any way diminished by the legislative assembly; nor shall such liability or obligation be extinguished, except by the payment thereof into the proper treasury.

"It shall however be lawful for the legislative assembly, in such manner as it may direct, to authorize the cancellation of any personal property taxes which are not a lien on real estate and which have been delinquent for ten (10) years or more.

"It shall be lawful for the legislative assembly, in such manner as it may direct, to authorize the cancellation of any contractual obligation owed to or held by a county, for seed grain, feed or other relief, the collection of which obligation is barred by the statute of limitations."

Section 3. This amendment shall be submitted to the qualified electors of the State of Montana by being placed on the official ballot provided for by Section 678, Revised Codes of Montana, 1935, as amended by Chapter 81, Session Laws, 1939, and as provided by law, and there shall be printed on such ballot the title of this act and the following words:

☐

For the above amendment.

☐

Against the above amendment.

Page Four

The elector shall designate his preference for either of the propositions by making an X before the proposition for which he desires to vote.

Section 4. The votes cast for and against the amendment herein proposed shall be counted, canvassed, and determined by such officials and in such manner as provided by law, and if a majority of all votes cast at such election for and against such amendment shall be in favor of such amendment, the governor of the state shall so declare by public proclamation, and the amendment shall be in full force and effect as a part of the Constitution from and after the date of such proclamation.

Section 5. This act shall be in full force and effect from and after its passage and approval.

Approved March 5, 1947.