

THE FORM IN WHICH THIS QUESTION WILL BE PRINTED ON THE
OFFICIAL BALLOT AT THE GENERAL ELECTION,
NOVEMBER 4, 1952, IS AS FOLLOWS:

A BILL FOR AN ACT PROVIDING FOR THE AMENDMENT OF SECTION
10 OF CHAPTER 39 OF THE LAWS OF THE TWENTY-NINTH LEGISLA-
TIVE ASSEMBLY OF THE STATE OF MONTANA, 1945, AS AMENDED
BY CHAPTER 167 OF THE LAWS OF THE THIRTY-FIRST LEGISLATIVE
ASSEMBLY OF THE STATE OF MONTANA, 1949, RELATING TO THE
LICENSE TAX ON GASOLINE PAID BY DEALERS FOR THE PRIVILEGE
OF ENGAGING IN AND CARRYING ON SUCH BUSINESS IN THIS STATE,
AND FIXING THE AMOUNT THEREOF AT SEVEN CENTS FOR EACH
GALLON OF GASOLINE.

FOR INITIATIVE MEASURE NO. 55
RELATING TO GASOLINE LICENSE TAX

AGAINST SAID MEASURE NO. 55

**PROPOSED PETITION FOR INITIATIVE
NO. 55**

A BILL TO ENACT BY INITIATIVE A LAW TO AMEND SECTION 10 OF CHAPTER 39 OF THE LAWS OF THE TWENTY-NINTH LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA, 1945, AS AMENDED BY CHAPTER 167 OF THE LAWS OF THE THIRTY-FIRST LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA, 1949, RELATING TO THE LICENSE TAX PAID BY DEALERS TO THE STATE BOARD OF EQUALIZATION ON GASOLINE AND FIXING THE AMOUNT THEREOF; AND REPEALING ALL ACTS AND PARTS OF ACTS IN CONFLICT HEREWITH.

BE IT ENACTED BY THE PEOPLE OF MONTANA:

Section 1. That Section 10 of Chapter 39 of the laws of the twenty-ninth legislative assembly of the State of Montana, 1945, as amended by Chapter 167 of the laws of the thirty-first legislative assembly of the State of Montana, 1949, be, and the same is hereby amended to read as follows:

"Section 10. For the purpose of providing funds for the payment of the interest upon and maturing principal of the state highway treasury anticipation debentures herein provided for, every dealer as referred to and defined in the gasoline license tax laws of the State of Montana now in effect, until the principal and interest of all debentures issued under the authority of this act shall have been paid, shall pay to the state board of equalization for deposit in the state treasury, a license tax for the privilege of engaging in and carrying on such business in this state, in an amount equal to **seven cents (7c)** for each gallon of gasoline (as de-

finèd in Section 84-1801, Revised Codes of Montana, 1947), refined, manufactured, produced or impounded by such dealer, and distributed, used or sold by him in this state, or shipped, transported or imported by such dealer into and distributed, used or sold by him within this state, after it has arrived in and is brought to rest within this state, whether sold in the original packages or in broken packages; provided that all gasoline delivered by any dealer to any of his own service stations in this state shall be deemed to have been sold, and shall be treated and considered as sold, in computing such license tax, in the same manner as though the same had been sold to other persons. In making the computation of license tax due and in making payment thereof, two per cent (2%) of the amount of such tax shall be deducted by the dealer as an allowance for evaporation and other loss of gasoline handled by such dealer. No gasoline used or sold by such dealer, which was purchased by him from a dealer who has paid the tax thereon, shall be included or considered in determining the amount of such license tax to be paid by such dealer, and no gasoline exported by such dealer out of the State of Montana shall be included in the computation of any dealer's license tax herein provided for."

Section 2. All acts and parts of acts in conflict herewith are hereby repealed.

Section 3. If any parts of this Act shall be declared by a court of competent jurisdiction to be unconstitutional, such unconstitutionality shall not affect the validity of the remaining parts of this Act.

Section 4. This Act shall be in full force and effect from and after its approval and proclamation as provided by law.