

VOTERS' INFORMATION PAMPHLET ON PROPOSED AMENDMENT TO
THE CONSTITUTION OF THE STATE OF MONTANA WHICH WILL
APPEAR ON THE OFFICIAL BALLOT FOR THE
GENERAL ELECTION TO BE HELD NOVEMBER 5, 1974

Prepared by FRANK MURRAY, Secretary of State, pursuant to
Sections 23-2802 and 37-107, Revised Codes of Montana, 1947

ON THE QUESTION OF AMENDING THE CONSTITUTION
OF THE STATE OF MONTANA TO ESTABLISH A
RESOURCE INDEMNITY TRUST IN THE STATE WHICH SHALL BE FOREVER
INVIOLE AND GUARANTEED BY THE STATE
AGAINST LOSS OR DIVERSION

Comparison of Existing Constitutional Provision and
Proposed Constitutional Amendment is as follows:

The following is a true and exact copy of the PROPOSED AMENDMENT to Section 2, Article IX of the Constitution of the State of Montana:

"Section 2. Reclamation. (1) All lands disturbed by the taking of natural resources shall be reclaimed. The legislature shall provide effective requirements and standards for the reclamation of lands disturbed.

(2) The legislature shall provide for a fund, to be known as the resource indemnity trust of the state of Montana, to be funded by such taxes on the extraction of natural resources as the legislature may from time to time impose for that purpose.

(3) The principal of the resource indemnity trust shall forever remain inviolate in an amount of one hundred million dollars (\$100,000,000), guaranteed by the state against loss or diversion."

The following is a true and exact copy of Section 2, Article IX of the Constitution of the State of Montana as it exists at the present time:

"Section 2. Reclamation. All lands disturbed by the taking of natural resources shall be reclaimed. The legislature shall provide effective requirements and standards for the reclamation of lands disturbed."

THE FORM IN WHICH THE QUESTION ON AMENDING THE CONSTITUTION WILL BE PRINTED ON THE OFFICIAL BALLOT AT THE GENERAL ELECTION, NOVEMBER 5, 1974, IS AS FOLLOWS:

CONSTITUTIONAL AMENDMENT NO. 1

Attorney General's Explanatory Statement

This amendment would provide for a resource indemnity trust in the state to be funded by taxes that the legislature may impose on the extraction of natural resources. The principal of the resource indemnity trust would be inviolate in the sum of One Hundred Million Dollars (\$100,000,000) and guaranteed by the state against loss or diversion.

AN ACT TO SUBMIT TO THE QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE IX, SECTION 2, OF THE CONSTITUTION OF MONTANA ESTABLISHING A RESOURCE INDEMNITY TRUST IN THE STATE WHICH SHALL BE FOREVER INVIOLE AND GUARANTEED BY THE STATE AGAINST LOSS OR DIVERSION.

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

Section 1. Article IX, section 2, of the constitution of the state of Montana is amended to read as follows:

"Section 2. Reclamation. (1) All lands disturbed by the taking of natural resources shall be reclaimed. The legislature shall provide effective requirements and standards for the reclamation of lands disturbed.

(2) The legislature shall provide for a fund, to be known as the resource indemnity trust of the state of Montana, to be funded by such taxes on the extraction of natural resources as the legislature may from time to time impose for that purpose.

(3) The principal of the resource indemnity trust shall forever remain inviolate in an amount of one hundred million dollars (\$100,000,000), guaranteed by the state against loss or diversion."

For the Above Amendment

Against the Above Amendment

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The following is a copy of the title and text of the proposed Constitutional Amendment as passed by the second regular session of the Forty-third Montana Legislature and approved by the Governor on March 11, 1974:

CHAPTER NO. 117
MONTANA SESSION LAWS 1974
HOUSE BILL NO. 576

AN ACT TO SUBMIT TO THE QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE IX, SECTION 2, OF THE CONSTITUTION OF MONTANA ESTABLISHING A RESOURCE INDEMNITY TRUST IN THE STATE WHICH SHALL BE FOREVER INVIOLEATE AND GUARANTEED BY THE STATE AGAINST LOSS OR DIVERSION.

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

Section 1. Article IX, section 2, of the constitution of the state of Montana is amended to read as follows:

"Section 2. Reclamation. (1) All lands disturbed by the taking of natural resources shall be reclaimed. The legislature shall provide effective requirements and standards for the reclamation of lands disturbed.

(2) The legislature shall provide for a fund, to be known as the resource indemnity trust of the state of Montana, to be funded by such taxes on the extraction of natural resources as the legislature may from time to time impose for that purpose.

(3) The principal of the resource indemnity trust shall forever remain inviolate in an amount of one hundred million dollars (\$100,000,000), guaranteed by the state against loss or diversion."

Section 3. When this amendment is submitted to the electors of the state of Montana there shall be printed on the ballot the full title and section 1 of this act and the following words:

For the above amendment.

Against the above amendment."

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Prepared by FRANK MURRAY, Secretary of State, pursuant to
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ON THE QUESTION OF AMENDING THE
CONSTITUTION OF THE STATE OF MONTANA TO ALLOW
THE LEGISLATURE, BY A $\frac{2}{3}$ VOTE OF EACH HOUSE,
TO ENACT LAWS RELATING TO THE WAIVER OF SOVEREIGN IMMUNITY

Comparison of Existing Constitutional Provision and
Proposed Constitutional Amendment is as follows:

The following is a true and exact copy of the PROPOSED AMENDMENT to Section 18, Article II of the Constitution of the State of Montana:

"Section 18. STATE SUBJECT TO SUIT. The state, counties, cities, towns, and all other local governmental entities shall have no immunity from suit for injury to a person or property, except as may be specifically provided by law by a $\frac{2}{3}$ vote of each house of the legislature."

The following is a true and exact copy of Section 18, Article II of the Constitution of the State of Montana as it exists at the present time.

"Section 18. STATE SUBJECT TO SUIT. The state, counties, cities, towns, and all other local governmental entities shall have no immunity from suit for injury to a person or property. This provision shall apply only to causes of action arising after July 1, 1973."