

1 SENATE BILL NO. 401

2 INTRODUCED BY R. ERICKSON

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT SUBMITTING TO THE QUALIFIED ELECTORS OF MONTANA AN
5 AMENDMENT TO ARTICLE IX OF THE MONTANA CONSTITUTION TO ESTABLISH A PERMANENT OIL AND
6 GAS TRUST FUND FUNDED FROM TAXES ON OIL AND GAS PRODUCTION; PROVIDING THAT THE
7 PRINCIPAL OF THE TRUST REMAIN INVIOLEATE UNLESS APPROPRIATED BY THREE-FOURTHS OF EACH
8 HOUSE OF THE LEGISLATURE; AND PROVIDING THAT THE INTEREST AND INCOME CAN BE
9 APPROPRIATED."

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

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13 NEW SECTION. **Section 1.** Article IX of The Constitution of the State of Montana is amended by adding
14 a new section 8 that reads:

15 **Section 8. Oil and gas trust fund.** (1) The legislature shall provide for a trust fund to be known as the
16 oil and gas trust fund of the state of Montana. The legislature shall dedicate not less than 25% of taxes based
17 upon the extraction, severance, or production of oil and gas to the trust fund.

18 (2) The principal of the trust shall forever remain inviolate unless appropriated by a vote of three-fourths
19 of the members of each house of the legislature. The interest and income from the trust may be appropriated.

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21 NEW SECTION. **Section 2. Two-thirds vote required.** Because [section 1] is a legislative proposal
22 to amend the constitution, Article XIV, section 8, of the Montana constitution requires an affirmative roll call vote
23 of two-thirds of all the members of the legislature, whether one or more bodies, for passage.

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25 NEW SECTION. **Section 3. Submission to electorate.** [This act] shall be submitted to the qualified
26 electors of Montana at the general election to be held in November 2012 by printing on the ballot the full title of
27 [this act] and the following:

- 28 FOR establishing a permanent oil and gas trust fund.
29 AGAINST establishing a permanent oil and gas trust fund.

30 - END -