

HOUSE BILL NO. 128
INTRODUCED BY RICE, DEVLIN

A BILL FOR AN ACT ENTITLED: "AN ACT SUBMITTING TO THE QUALIFIED ELECTORS OF MONTANA AN AMENDMENT TO ARTICLE IX OF THE MONTANA CONSTITUTION TO CREATE A NOXIOUS WEED MANAGEMENT TRUST FUND; PROVIDING FOR THE PROTECTION OF THE TRUST IN THE AMOUNT OF \$10 MILLION UNLESS APPROPRIATED BY A VOTE OF THREE-FOURTHS OF THE MEMBERS OF EACH HOUSE OF THE LEGISLATURE; AND PROVIDING FOR THE APPROPRIATION OF INTEREST, INCOME, AND A PORTION OF THE PRINCIPAL."

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

NEW SECTION. **Section 1.** Article IX of The Constitution of the State of Montana is amended by adding a new section 6 that reads:

Section 6. Noxious weed management trust fund. (1) The legislature shall provide for a fund, to be known as the noxious weed management trust of the state of Montana, to be funded as provided by law.

(2) The principal of the noxious weed management trust fund shall forever remain inviolate in an amount of ten million dollars (\$10,000,000), ~~guaranteed by the state against loss or diversion~~ UNLESS APPROPRIATED BY VOTE OF THREE-FOURTHS (3/4) OF THE MEMBERS OF EACH HOUSE OF THE LEGISLATURE.

(3) The interest, ~~AND income, and principal of~~ GENERATED FROM the noxious weed management trust fund ~~in excess of ten million dollars (\$10,000,000)~~ may be appropriated BY A MAJORITY VOTE OF EACH HOUSE OF THE LEGISLATURE. Appropriations of the interest, ~~AND income, or principal~~ shall be used only to fund the noxious weed management program, as provided by law.

(4) THE PRINCIPAL OF THE NOXIOUS WEED MANAGEMENT TRUST FUND IN EXCESS OF TEN MILLION DOLLARS (\$10,000,000) MAY BE APPROPRIATED BY A MAJORITY VOTE OF EACH HOUSE OF THE LEGISLATURE. APPROPRIATIONS OF THE PRINCIPAL IN EXCESS OF TEN MILLION DOLLARS (\$10,000,000) SHALL BE USED ONLY TO FUND THE NOXIOUS WEED MANAGEMENT PROGRAM, AS PROVIDED BY LAW.

NEW SECTION. **Section 2. Submission to electorate.** This amendment shall be submitted to the qualified electors of Montana at the general election to be held in November 2004 by printing on the ballot the full title of this act and the following:

- FOR creating a noxious weed management trust fund and restricting its use.
- AGAINST creating a noxious weed management trust fund and restricting its use.

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