

LEGISLATIVE RESEARCH SERVICES

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Role of the Lieutenant Governor in the Distribution of Joint Resolutions Under Uniform Rule 49

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You requested background on subsection (b) of Uniform Rule 49. Specifically, you asked why the lieutenant governor is responsible for distributing enrolled copies of joint resolutions.

The relevant section of [Uniform Rule 49\(b\)](#) reads “[t]he lieutenant governor sends enrolled copies of joint resolutions to the federal and other state officers, agencies, and jurisdictions.” This policy was first adopted as Rule 49(e) by the Third Alaska State Legislature in 1963 as part of an overhaul of the Uniform Rules.

The amending legislation passed the previous session, SCR 31 (attached), concluded the Uniform Rules at the time were “beyond the need for a formal revision to correct errors or shortcomings in fact, form and arrangement.” The [1963 Biennial Report of the Legislative Council](#) agreed, describing them as “a hurried patchwork of the joint and separate rules used in the last Territorial Legislature of 1957 and had been only slightly amended since their adoption in 1959. It was determined that the arrangement was faulty, some rules were either inconsistent with or contrary to statutory provisions, and that some procedural and organizational problems ought to be corrected” (p.11).

Following the passage SCR 31, the executive director of Legislative Council sent a memo to all legislators requesting suggestions by July 1. The revision process was months long, but the clause assigning responsibility for distributing joint resolutions was added early in the process, appearing in the August 1962 version. Unfortunately, the backup material is sparse, with a single, brief reference to joint resolutions that does not include a rationale (attached).

Please note the rule, then numbered 48(e), was amended in 1977 to reflect the name change from secretary of state to lieutenant governor, which occurred via constitutional amendment in 1970.

We hope this is helpful. If you have questions or need additional information, please let us know.

SENATE CONCURRENT RESOLUTION NO. 28

Relating to retirement of judges.

Be It Resolved by the Senate in Second Legislature, Second Session Assembled, the House Concurring:

The Legislature recognizes that:

1. The maintenance of law and order and the preservation of liberties and our way of life depend upon the quality of judgments of the courts of our state and federal judicial systems.

2. To achieve and maintain the desired quality it is necessary to have the very best judges, and experience of the various states has shown that a retirement system especially fitted to the unique circumstances of judges is necessary to secure and retain the best qualified persons for judicial office.

3. The Senate Judiciary Committee has introduced Senate Bill No. 287 to provide a judges' retirement plan, but before its adoption such a plan requires qualified actuarial review and report, which cannot be accomplished before the probable adjournment date of this Legislature;

NOW THEREFORE, BE IT RESOLVED that studies be conducted on Senate Bill No. 287 under the direction of the Judicial Council, to include professional actuarial review and report for consideration by the Legislature at its next regular session, to the end that favorable action may be taken on a judges' retirement plan at the earliest possible time.

Passed by the Senate March 14, 1962.

Passed by the House March 31, 1962.

SENATE CONCURRENT RESOLUTION NO. 30

Relating to the time limit on the transmission of bills between houses.

Be It Resolved by the Senate in Second Legislature, Second Session Assembled, the House Concurring:

WHEREAS, under Uniform Rule of Procedure 64, bills other than bills introduced by standing committees may not be transmitted to the other house after the fiftieth day; and

WHEREAS it now appears advisable to extend the time limit for transmission of

all bills between the houses;

BE IT RESOLVED by the Senate in Second Legislature, Second Session assembled, the House of Representatives concurring, that, pursuant to Rule 64 which requires the approval of a concurrent resolution by two-thirds of the membership of each house to change the transmission time limit, the time limit for the transmission of bills between the houses is extended through the sixtieth legislative day.

Passed by the Senate March 12, 1962.

Passed by the House March 15, 1962.

SENATE CONCURRENT RESOLUTION NO. 31

Relating to a revision of the Uniform Rules for reference to the members of the Third Legislature

Be It Resolved by the Senate in Second Legislature, Second Session Assembled, the House Concurring:

WHEREAS the Uniform Rules of the Legislature have been in use for four legislative sessions without substantial change; and

WHEREAS, beyond the need for a formal revision to correct errors or shortcomings in fact, form, and arrangement, a substantive revision to clarify and ex-

pand the rules to improve the legislative product and facilitate the legislative process is in order; and

WHEREAS, with the current session ending, it would be advantageous to utilize the experience and consider the recommendations for change offered by the presiding officers and the general membership; and

WHEREAS a comprehensive revision of the Uniform Rules could be offered to the Third Legislature for adoption as its temporary rules pending consideration and adoption of its permanent rules;

BE IT RESOLVED by the Senate in Second Legislature, Second Session assembled, the House of Representatives concurring, that the Rules Committees are directed to solicit the views and suggestions of the presiding officers and members of their respective houses and submit a joint report to the Legislative Council prior to adjournment, and the Legislative Council

is directed to incorporate the substantive changes recommended and the formal changes required in a general revision of the Uniform Rules to be presented to the members and members-elect of the Third Legislature prior to its convening in January, 1963.

Passed by the Senate March 15, 1962.
Passed by the House April 5, 1962.

SENATE CONCURRENT RESOLUTION NO. 32

Relating to the wanton killing of polar bears.

Legislature and the public;

Be It Resolved by the Senate in Second Legislature, Second Session Assembled, the House Concurring:

BE IT RESOLVED by the Senate in Second Legislature, Second Session assembled, the House of Representatives concurring, that the Legislative Council is directed, with the cooperation of the Department of Fish and Game, to study and report on the wanton killing of polar bear and to submit recommendations for any action thought necessary to the Legislature in January of 1963.

WHEREAS there has been considerable discussion of wanton destruction of polar bear attributable to activities of nonresidents; and

WHEREAS, before any necessary legislation on the subject can be acted upon, it appears advisable that more information ought to be made available to the

Passed by the Senate March 20, 1962.
Passed by the House April 9, 1962.

SENATE CONCURRENT RESOLUTION NO. 33

Relating to a change in the time limit for transmission of bills.

Second Legislature, Second Session assembled, the House of Representatives concurring, that pursuant to provisions of Uniform Rule of Procedure No. 64 the time limit for transmission of personal bills between houses is changed to allow transmission through the seventieth day, April 1, 1962.

Be It Resolved by the Senate in Second Legislature, Second Session Assembled, the House Concurring:

WHEREAS additional time is required for the transmission of bills between the houses;

BE IT RESOLVED by the Senate in

Passed by the Senate March 22, 1962.
Passed by the House March 24, 1962.

SENATE CONCURRENT RESOLUTION NO. 35

Relating to the enrolling of Senate Bill No. 105, as amended.

Be It Resolved by the Senate in Second Legislature, Second Session Assembled, the House Concurring:

WHEREAS it is the desire of the Legislature to avoid the unnecessary expense and delay which would be involved in the formal enrolling of the 122-page House Committee Substitute for Senate Bill No. 105, as amended (Code of Civil Procedure);

BE IT RESOLVED by the Senate in Second Legislature, Second Session assembled, the House of Representatives concurring, that Uniform Rules of Procedure 59, 60, and 68 are suspended in their application to House Committee Substitute for Senate Bill No. 105, as amended, and that the following procedure is authorized in the handling of the bill:

(1) Six copies of the substitute bill and any amendments adopted by both houses will be verified as the tentative enrolled

RULES R E V I S I O N

Call of the house - may be demanded by three or more members not just one. (Mont. 5) -- called may be dispensed with by a majority vote of the membership to dispense for search for absentees. Call can be raised by a 2/3 vote of the membership.

Pairing .. Montana Senate Rule XXI

How add copy
Resolutions (simple and concurrent). Transmit to Governor for referral to Secretary of State for filing. *to Secretary* House of origin will ~~direct~~ copies *for* addresses. No acknowledgement ~~from~~ Governor or Secretary of State required?

Resolutions.(joint). Transmitted to Governor like a bill and he acknowledges and files with Secretary of State. Secretary receives extra addressee copies from house of origin and mails.

Personal privilege - Limit to give minutes unless extended by unanimous consent - no record to be made of request for ~~privilege~~ privilege or subject of same in journal.