

SENATE JOINT RESOLUTION NO. 36

INTRODUCED BY ECK, McBRIDE,
REGAN, B. BROWN, BERG, J. JACOBSON

IN THE SENATE

April 21, 1981

Introduced and referred to Committee on State Administration.

April 22, 1981

Committee recommend bill do not pass. Report adopted.

On motion Senate reconsider its action taken on adverse committee report.

On motion placed on second reading.

Second reading, do pass.

On motion rules suspended. Bill placed on calendar for third reading this day.

Third reading, passed. Ayes, 37; Noes, 7. Transmitted to House.

IN THE HOUSE

April 23, 1981

Introduced and referred to Committee on Judiciary.

Committee recommend bill be concurred in. Report adopted.

On motion rules suspended and bill placed on second reading this day.

Second reading, concurred in.

On motion rules suspended and bill placed on third reading this day.

April 23, 1981

Third reading, concurred in.
Ayes, 81; Noes, 11.

IN THE SENATE

April 23, 1981

Returned from House. Con-
curred in. Sent to enrolling.

Reported correctly enrolled.

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Senators JOINT RESOLUTION NO. *36*
INTRODUCED BY *Rep. McBride, Berg, J. Jacobson*
Rep. Bob Brown

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA URGING THE ASSIGNMENT TO AN APPROPRIATE INTERIM COMMITTEE OF A STUDY OF MONTANA'S CODE OF ETHICS FOR PUBLIC OFFICERS AND EMPLOYEES AND ITS ADMINISTRATION AND ENFORCEMENT.

WHEREAS, the Constitution of Montana requires in Article XIII, section 4, that the Legislature enact a code of ethics prohibiting conflict between public duty and private interest for members of the Legislature and all state and local officers and employees; and

WHEREAS, the people of Montana have overwhelmingly affirmed this constitutional principle as well as the principle of openness and integrity in government by their approval of Initiative 85, the lobbyist disclosure initiative; and

WHEREAS, our government derives its power directly from the people, and a credible, effective government depends on maintaining the people's confidence and trust; and

WHEREAS, the 1977 Legislature, in acknowledgment of the need to encourage ethical conduct among public officers and employees, enacted a code of ethics; and

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WHEREAS, recent events have demonstrated deficiencies in the current code of ethics and have raised questions of interpretation, administration, and enforcement of that code.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

(1) That an appropriate interim committee be assigned to study the code of ethics for public officers and employees and its effectiveness, clarity, administration, and enforcement.

(2) That the committee develop recommendations for resolving questions of:

(a) whether a consensus exists among Legislators, other public officers, and the public as to what constitutes ethical conduct and conflict of interest;

(b) whether the code of ethics acts merely as a guideline or has the force of law;

(c) the actual effect of the code of ethics; and

(d) the need for a vehicle of administration and enforcement as well as clear remedies under the code.

(3) That the committee submit its findings and recommendations to the 48th Legislature.

-End-

INTRODUCED BILL
SJR 36

SECOND READING BILL
WAS NOT PRINTED.

1 *Senate* JOINT RESOLUTION NO. *36*
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RULES SUSPENDED
 -2- PLACED ON THIRD READING

THIRD READING
 SJR 36

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