

Chief Justice Burdick and Justice Eismann,

On page 15 of the Opinion of the Court regarding *Nate v. Denney*, it states: "It appears that the first time bills were presented to the governor after adjournment *sine die* was in 1967, when the house presented bills to Governor Samuelson nine days after adjournment *sine die*."

We have found the opposite is the case in our research on the subject. As far back as we can tell, the governor received bills well after the *sine die* date. As the impact of this court's opinion in this case will have far-reaching impacts going into the future for the legislature, we felt that this was important to bring to your attention.

In our research we looked at the governor's veto messages from 1959-1965, found in the House and Senate Journals. In each of these letters he includes the date on which he received the bill from the House or the Senate. Throughout these three legislative sessions there are twenty-two instances where he states that he received the bill after adjournment *sine die*. However, we believe that these bills may just be the tip of the iceberg, as it is only the vetoed bills which we have the transmittal date for. All other bills which the governor received have the date on which he signed it but no reference to when the bill was received at his desk.

We have done additional research on journals prior to 1959 but there is no consistent formatting to discern the dates when the last bills were transmitted to the governor. The governor did not include in his veto message the day upon which the bill was transmitted to his desk, nor was there conclusive information from reports that the legislature made. But, considering that there were three vetoed bills transmitted after adjournment in 1959, one of which was four days later and the next two a full 9 days after, it seems likely that these delayed transmittals go back even further.

Attached are photocopies of pages from the 1959-1965 House and Senate Journals. Included are the dates for adjournment *sine die* followed by each of the vetoed bills with the corresponding dates highlighted.

Respectfully,

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