

A Guide to the
**MONTANA
LEGISLATURE**



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*“That government is the strongest
of which every man
feels himself a part.”*

— Thomas Jefferson



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A visit to the halls of the Montana Capitol in Helena is a great way to learn more about state government and how it functions. In 1999-2000, the Capitol was restored to its original appearance, undoing decades of uninspired remodeling. It's an impressive sight!



THE MONTANA LEGISLATURE: WHAT'S IT TO ME?

Maybe you're wondering: Why do I care about the Montana Legislature? It has nothing to do with my life, right?

Well, have you ever asked yourself these questions:

- What do I have to do to get a driver's license?
- Does my pet have to have a rabies shot?
- Can I fish from the banks of any stream or river?

The answers to all of these questions are determined by law, and laws are what the Montana Legislature exists to create.

So the Montana Legislature is not some obscure and meaningless organization. It makes decisions that affect every Montanan, every day — and that includes you. That's why it's important to understand how the Legislature works and how you, as a citizen, can influence what it does.

Who knows, maybe you'll even decide one day to serve as a legislator yourself! The Montana Legislature is a citizen legislature. Its members are ordinary citizens — like you — who are elected to serve the public part-time in addition to their regular jobs.

At the very least, you can help to elect the people who serve in the Legislature. All citizens, once they turn 18, have the right to vote for whomever they choose to represent them. In our system of

government, called a “representative democracy,” the majority makes the decisions, but the rights of the minority are protected by law.

Did you know?

*Since statehood,
Montanans have elected
at least 2 legislators
under the age of 20.*

Because we all tend to spend time with people who think like we do, it’s easy to forget that we don’t all think alike. It’s the job of the Legislature to help find common ground among different opinions and ideas. It’s the job of the Legislature to pass laws that benefit the largest number of people possible.

* * *

Food for Thought:

1. What is a “representative democracy?”
2. Do you vote? Why or why not?
3. What would Montana be like if the state had no laws?

*Terms displayed in **bold** type in this guide
are defined in the Legislative Glossary.*



STRUCTURE & ORGANIZATION

Three Branches

Montana — like all states — models its state government after the federal government. There are three parts:

1. *Executive Branch*, headed by the president at the federal level and the governor at the state level;
2. *Judicial Branch*, which encompasses the court system; and
3. *Legislative Branch*, which is Congress at the federal level and the Montana Legislature at the state level.

This system was designed by the nation’s founders to have “checks and balances.”

Each branch has specific powers. Each also has specific limits on its powers. For example, the Legislative Branch is responsible for making laws. The Executive Branch enforces and carries out those laws. The Judicial Branch interprets the laws and settles any differences of opinion about what they mean and how they should be applied.

Even if the Legislature passes a law, the Governor can **veto** it. The Legislature can override the veto with a two-thirds vote. The Governor and the Legislature may agree on a law, but the courts may find that it violates the state or U.S. Constitution.

These checks and balances are meant to ensure that no single branch ever gains too much power.

Two Chambers

The Montana Legislature is a **bicameral** legislature. That means it has two chambers: the Senate and the House of Representatives. Each meets in a separate **chamber** to consider **bills**, or proposed laws. Every bill that becomes law must first be approved by both chambers.

The Senate and House are each responsible for organizing and establishing rules for their respective chambers. At the beginning of each legislative session, the members from each political **party** in each chamber have a meeting, or **caucus**, to elect officers.

Did you know?

Montanans have been represented by 11 different political parties in the Legislature since statehood.

The political party with the most elected members is considered the **majority party**. The second-largest party is the **minority party**. Sometimes legislators are elected to represent other smaller parties. If no one party has a majority, the party to which the Governor belongs becomes the majority party.

In the Senate, the majority caucus elects a **President of the Senate** to preside over proceedings and the **order of business**. House members elect a **Speaker of the House** to do the same in that chamber.

Other legislative leaders are:

- **President pro tempore** (or president pro tem): A senator who presides over the proceedings of the Senate when the president is absent.
- **Speaker pro tempore**: A member of the House selected to preside over House proceedings when the speaker is absent.
- **Majority leader**: The leader of the party that has the most members in a legislative chamber.
- **Minority leader**: The leader of the party that has the second largest number of members in a legislative chamber.
- **Majority whip**: A legislator selected by the majority party to help the majority leader and make sure party members are present for important votes.

- **Minority whip:** A legislator selected by the minority party to help the minority leader and make sure party members are present for important votes.

Each chamber also has a **Sergeant at Arms** who is appointed to keep order in the chamber. The sergeant is not a member of the Legislature but is part of the legislative staff.

Other key staff members are the **Secretary of the Senate** and the **Chief Clerk of the House**.

Did you know?

Nebraska is the only state in the nation with a unicameral legislature. Its members are called senators.

150 Members

The Montana Senate has 50 members, and the House of Representatives has 100. But that hasn't always been the case.

The first state Legislature met shortly after Montana joined the Union in 1889. It had 45 House members and 16 senators. The size of the Senate reached its peak from 1925 to 1965, when there were 56 members. The House was largest from 1967 to 1971, when it had 104 members. In 1972, Montana voters adopted a new state constitution. It set the size of the Senate at 40-50 members and the House at 80-100. Ever since, the Legislature has had 150 members.

To ensure that every Montanan is equally represented in the Legislature, the state is divided into new geographical House and Senate **districts** every 10 years after the U.S. census is completed. This process is called **redistricting**. Each district must have about the same population. Each Montanan is represented by one senator and one representative. Senate districts are made up of two adjoining House districts.

A county with a small population may share House and Senate districts with other counties. Counties with large populations may contain several districts within their boundaries.

One senator is elected from each of 50 Montana Senate districts to serve a 4-year term. Half of the Senate members are elected every 2 years.

House members are elected to 2-year terms. Each one represents one of Montana's 100 House districts.

In 1992, Montanans voted to limit the number of terms that legislators and other state officials may serve. As a result of these **term limits**, an individual may serve as a state representative or senator for no more than 8 years in a 16-year period.

In both chambers, it is customary for Democrats and Republicans to sit on opposite sides of the aisle.

90 Days

The Legislature meets in **regular session** for 90 working days of every odd-numbered year. It is required to do so by state law and the state Constitution. Each session begins, or **convenes**, at noon on the first Monday in January unless that is New Year's Day. In that case, the session convenes on the following Wednesday.

In addition to its regular sessions, the Legislature also may meet in **special session** to deal with emergencies. Only the Governor or a majority of legislators can call a special session.

Since 1889, the Legislature has met in special session more than 30 times. All were convened by the Governor. Legislators have never successfully petitioned to call a special session but they have voted to expand a special session to address additional issues.

* * *

Food for Thought:

1. Who represents you in the Montana Legislature?
2. What are some advantages and disadvantages of having a "citizen legislature?"
3. Do you think term limits for legislators are a good idea? Why or why not?



A LEGISLATOR'S JOB

The job of a state legislator is very demanding, even though it's only part-time.

- Your legislator must be dedicated and committed.
- Your legislator must study hard to understand many different subjects — from agriculture to health to transportation.
- Your legislator must make important decisions under heavy pressure from people with many different beliefs and interests.
- Your legislator must balance the needs of **constituents** with what is best for all Montanans.

Ultimately, your legislator helps to determine the quality of life in Montana. It's an important job!

In Session

During the 90-day sessions, legislators spend nearly all of their time at the Capitol in Helena. They work long hours. They often work 6 days a week. They get few chances to go home to their families and their regular jobs.

The main job of legislators is to **enact** new laws or **amend** or **repeal** existing laws. They also:

- decide how much money to spend to operate state programs and services;
- decide how much to tax Montanans to support state programs and services;

Who Can Be a Legislator?

To be a state senator or representative, you must meet these constitutional qualifications:

- *You must be a citizen of the United States.*
- *You must be a resident of Montana for at least a year before being elected.*
- *You must be 18 or older.*
- *You must live in the county that you wish to represent. If your legislative district covers more than one county, you must live in the district.*

- keep their constituents informed and help them access state programs and services;
- monitor the work of state executive agencies; and
- make sure the laws they pass are carried out as they intended.

Between Sessions

The job of a legislator doesn't end when a session ends. Legislative committees meet regularly during the **interim** between sessions.

During each session, legislators identify topics they want to study in more depth. They appoint **interim committees** to conduct these studies. The committees often invite experts to present information to them. Members of the public also get a chance to have their say. Sometimes legislators travel to other communities to learn about issues firsthand.

During the interims, legislators have more time to debate and discuss issues. They're under less pressure than they are during sessions. They use what they learn from their interim studies to make well-informed decisions about what bills to consider during the next session.

Salary & Compensation

State law dictates how much legislators can earn for their work. Legislators currently get paid a little more than \$10 an hour for each day

that the Legislature is in session. They may choose to work for no salary.

Legislators also get an allowance, or stipend, to help reimburse them for the costs of attending a session. This allowance helps to pay for travel, meals, and a place to stay in Helena.

The state Constitution prohibits the Legislature from setting its own pay. Legislators during one session may set the pay for future sessions.

Legislators are as different as the people they are elected to represent. Each one brings unique ideas, experiences, and understanding to the legislative process.

* * *

Food for Thought:

1. Do you think you could be an effective legislator? Why or why not?
2. What do you think the most important part of a legislator's job is? The hardest?



HOW AN IDEA BECOMES A BILL

The problems that face Montana citizens are always changing. Montana laws must change to meet the challenges of the future. Every session, the Legislature considers passing new laws or changing existing ones to meet those challenges.

Finding Ideas

Only legislators may introduce bills. But where do legislators get the ideas for the bills they propose? They come from many different sources:

- Individual legislators. Members of the Montana Legislature have a wide variety of backgrounds and experiences. They may be parents, students, teachers, lawyers, farmers, doctors, or businesspersons. Each member's expertise and personal experiences influence the kinds of bills he or she proposes.
- Constituents. Often, concerned citizens or groups will alert legislators to problems and ask them to sponsor legislation to address those problems. Stories in the media may also bring problems to legislators' attention.
- Government agencies. The Executive Branch agencies that administer state programs and services may see a problem that might be solved through legislation. Managers of these agencies may approach legislators and ask them to sponsor bills to address the problems.

- **Interim committees.** These legislative committees meet between sessions to study certain topics in depth. They may decide to introduce legislation as a result of their studies.
- **Interest groups.** Interest groups may represent single issues, trades, professions, or social groups. Some examples are groups that represent labor, business, teachers, farmers, low-income individuals, and veterans. Because interest groups usually have more resources than individuals, they can be very effective in urging legislators to propose bills.
- **Court decisions.** If a court finds a problem with a law or finds a law to be unconstitutional, legislators may decide to try to fix the problem with new legislation.
- **Other states.** If there is no clear solution to a problem, legislators may ask their staff to research how other states have addressed similar issues.

Drafting and Introducing Bills

Once a legislator has an idea for a bill, he or she asks the legislative staff to draft it. The bill drafter makes sure the bill is written in the proper legal form. The drafter also works with the legislator to make sure the bill will accomplish what the legislator intends.

Once the bill is drafted, one or more legislators may sign the bill as **sponsors**. The main sponsor is responsible for seeing that the bill makes its way through the legislative process.

The **introduction** of a bill by a legislator is accomplished by filing it either with the Chief Clerk of the House or the Secretary of the Senate. Senators must introduce their bills in the Senate.

Representatives must introduce their bills in the House. Only House members may sponsor bills that contain **appropriations** of money.

The Secretary of the Senate or Chief Clerk of the House assigns a

Did you know?

Montana legislators requested 2,246 bill drafts during the 2011 session. Of these, 1,179 were actually introduced, and 484 passed both chambers and became law.

number to each bill. The number reflects where the bill originates. For example, a Senate bill might be called SB 1 and a House bill may be called HB 1. This is how the bill is identified throughout the legislative process, even after **transmittal** of the bill to the second chamber.

The legislative process is cumbersome and complex. But the nation's founders intended it to be that way. They wanted every bill to get careful scrutiny. They wanted anyone affected by a bill to have a voice in the debate.

The system of government they designed helps to ensure that only the best ideas survive and become law.

* * *

Food for Thought:

1. Can you think of an idea for a bill that you would propose if you were a legislator?
2. Should there be limits on how many bills a legislator can introduce? Why or why not?



Committee hearings play a key role in the legislative process. They offer citizens a forum for expressing their opinions about legislation. They also provide an opportunity to watch representative democracy in action.



HOW A BILL BECOMES A LAW

Legislators gather in the House and Senate chambers during **floor sessions** to debate and vote on bills.

But first, they hold committee meetings where they can listen to the concerns and recommendations of the public, **lobbyists**, and other legislators.

Committees

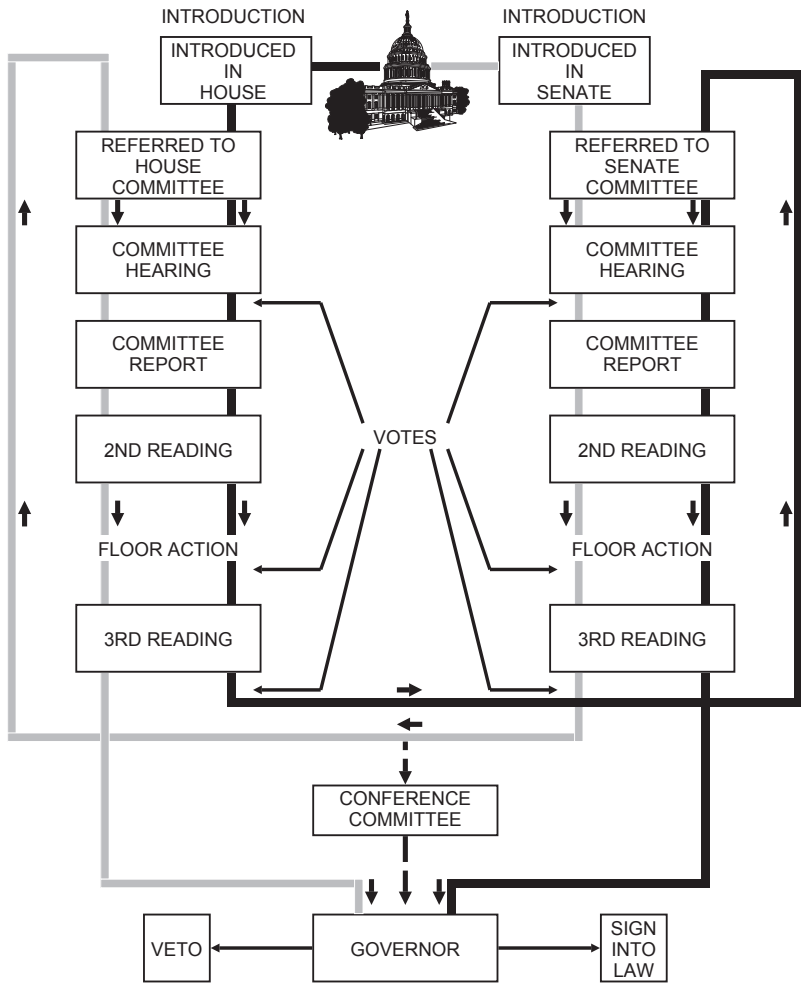
Each legislator usually serves on at least one committee during a session. In the House, the speaker appoints committee members. In the Senate, a Committee on Committees appoints them.

Every bill that the House and Senate considers is first assigned to a committee based on its subject matter. The chair of the committee, who is a member of the majority party, schedules a public **hearing** on the bill. These hearings are the most effective way for citizens to express their opinions about bills. (See “Testify at a Hearing” on page 24.)

At the hearing, the public is invited to **testify** for or against the bill. Based on that testimony, committee members vote to recommend that the House or Senate pass the bill, kill the bill, or amend the bill. The committee may also **table** the bill, which means the committee has no recommendation. Tabling a bill often kills it.

Committees that meet during legislative sessions are called **standing committees**. Sometimes **joint committees** or **joint subcommittees** are formed with members from both chambers.

DIAGRAM OF HOW A BILL PROGRESSES THROUGH THE LEGISLATIVE PROCESS



If the House and Senate cannot agree on amendments to a bill, they may appoint a special **conference committee** to try to find a compromise that both chambers can accept.

Floor Sessions

Every bill that passes the Legislature comes before each chamber at least three times.

Once a bill has been assigned a number, it's presented to the chamber during what is called **first reading**. The presiding officer assigns the bill to a committee.

If a committee recommends passage of a bill, the bill is placed on **second reading**. At this time, the entire chamber, called into a **Committee of the Whole**, debates the bill during a floor session. Legislators may offer **amendments**. If the House or Senate votes to pass the bill during second reading, the bill (with any amendments) is placed on **third reading**.

The vote on third reading is the most important vote. It decides whether the bill passes the House or Senate. Legislators may not amend or debate a bill on third reading.

Once a bill passes through one chamber, it's transmitted to the other chamber. It goes through the same process there. If the second chamber amends the bill, it's sent back to the first chamber for approval of the amendments.

Each bill must pass both chambers in the same form before it's sent to the Governor for his or her signature. If the two chambers cannot agree on amendments, they may appoint a conference committee to try to find a compromise.

The Governor's Role

Once a bill passes both chambers in the same form, it's sent to the Governor. The Governor has four options: sign the bill into law, recommend amendments to the bill, **veto** the bill, or take no action. If the Governor takes no action, the bill becomes law after 10 days.

The Governor may return a bill to the Legislature with suggested amendments. If the Legislature rejects the Governor's suggestions, the Governor may not return a bill with further amendments.

The Legislature may override a Governor's veto if two-thirds of the members of each chamber vote in favor of doing so.

After a bill is signed by the Governor, becomes law after 10 days, or is passed by the Legislature over the Governor's veto, its provisions are incorporated into the **Montana Code Annotated (MCA)**. This is a compilation of all state laws that are currently in effect. It's updated after each legislative session.

There are other publications that provide more information about the laws passed during a session. These include the *Legislative Review*, the *Laws of Montana* (session laws) and the *History and Final Status of Bills and Resolutions*.

Copies of legislative publications are available in libraries throughout the state and on the legislative website at leg.mt.gov.

* * *

Food for Thought:

1. What role do committees play in the work of the Legislature?
2. Visit the **LAWS** website (leg.mt.gov/laws.htm), click on "Look up Bill Information," and use the "General Subject" search to find a bill that interests you.
3. Who is the bill's sponsor? What is the status of the bill?

Tracking a Bill's Progress

You can track the progress of a bill using a free online service called LAWS (Legislative Automated Workflow System).

You can find LAWS on the Montana Legislature website at leg.mt.gov/laws.htm.

Using LAWS, you can find:

- *Complete text of legislative bills*
- *Up-to-date status of bills*
- *Committee hearing schedules*
- *Agendas for committee hearings and floor sessions*
- *House and Senate votes on bills*

You can search the LAWS database using one or more of the following search criteria:

- *General subject matter*
- *Keywords*
- *Bill number*
- *Bill sponsor*
- *Bill status*

You can also create a preference list. This feature allows you to monitor any number of bills that are of particular interest to you by creating a free, password-protected online account.

You can sign up for notification by e-mail of public hearings scheduled for the bills on your preference lists.



HOW YOU CAN GET INVOLVED

The U.S. and Montana Constitutions give every citizen the right to speak on public issues and to be heard by officials at every level of government. At the Montana Legislature, that means you have the right to share with legislators your thoughts and opinions about any public issue they are considering.

There are many ways you can exercise your rights and get involved in the legislative process:

Contact Your Legislator

Legislators want to hear from you! They were elected to represent you, and they can't do that well if they don't know your views and perspectives.

A well-written letter is one of the best ways to let your legislator know your thoughts and opinions about a particular issue. Here are some tips for getting your message across effectively:

- Be brief. Legislators have many demands on their time. They appreciate letters that are short and to the point.
- Put the message in your own words. Form letters and petitions don't have the same impact as personal, informed opinions.
- Be civil. It's OK to be passionate about your point of view, but show respect for the perspectives of others.

- Address your letter to a specific legislator or legislators — preferably the ones who represents the legislative district in which you live. Depending on your message, you may want to write to the sponsor of a bill, certain members of a committee, or your own legislators. Don't address your letter to the entire Legislature.
- Identify bills by their number, title, and sponsor.
- Explain your position on the bill and ask for the legislator's support or opposition.
- Give any sources of information that you use to make your point.
- Include your name, address, and a little about who you are (for example, where you work or what school you attend).

Address letters to:

Senator XXXX
 Montana Senate
 State Capitol
 PO Box 200500
 Helena, MT 59620-0500

or

Rep. XXXX
 Montana House of Representatives
 State Capitol
 PO Box 200400
 Helena, MT 59620-0400

During legislative sessions, you may call the Session Information Desk at (406) 444-4800 and leave a message for as many as five legislators per call. Your message will be delivered to those legislators.

You may also contact your legislators by e-mail. Some legislators choose to publish their e-mail addresses on the legislative website at leg.mt.gov. Once you click on Legislators, then Find a Legislator, you can look through the legislative roster to locate specific members. Clicking on a legislator's name will then bring up an information page which includes contact information including e-mail address. During sessions, you may also use a form that appears on a legislator's information page to send electronic messages.

Testify at a Hearing

One of the most important opportunities to become involved in the debate over a bill is when it's the subject of a hearing before a legislative committee. You can communicate personally with legislators at any time about any bill, but the committee hearing is the occasion when members of the public are specifically invited to publicly approve, oppose, or suggest changes to a bill.

Don't let stage fright stop you from taking advantage of this important right! Legislators were elected to represent the people of Montana. They are eager to hear your thoughts and perspective.

You may testify on any bill that concerns you. Committee hearings allow you to speak your mind before the committee takes any action and before the bill is brought to the attention of the House and Senate for debate and a final vote. You may testify in person or submit written testimony.

The time and place of every committee hearing is posted several days in advance on the legislative website. Hearings schedules are also available at the Session Information Desk on the first floor of the Capitol.

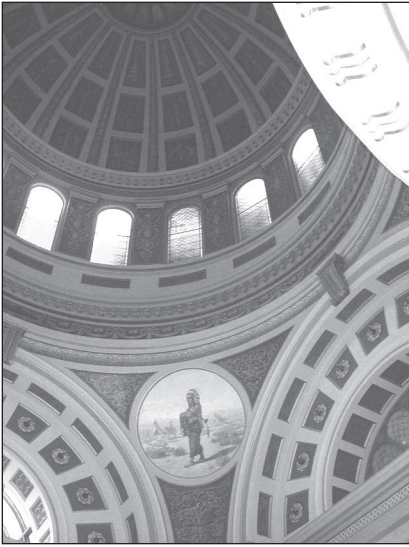
You may enter a legislative hearing room at any time, even if the door is closed or a hearing is in progress. Be courteous and respectful. Enter quietly if a meeting is in progress. Be sure to turn off your cell phone before entering. Food and drink (other than water) are not permitted in hearing rooms.

More information about testifying at committee hearings is available in "Having Your Say," a brochure published by the Legislative Communications Office. To get a copy, send your request to leginfo@mt.gov or call (406) 444-3067.

Visit the Capitol

The Capitol was originally completed in 1902. In 1999-2000, it was renovated to return it to its original appearance after decades of remodeling. It's an impressive sight!

The Montana Historical Society offers free guided tours of the Capitol.



These tours focus primarily on the art, architecture, and history of the building.

To arrange a tour, contact the Education Office of the Historical Society at (406) 444-4789. You must make reservations for group tours at least 2 weeks in advance.

Individuals and small, chaperoned school groups may tour the Capitol on their own during regular business hours.

If you're interested in visiting the Capitol to learn more about

the Legislature and its role in Montana state government, contact the Legislative Communications Office, (406) 444-3067 or leginfo@mt.gov.

More information about Capitol visits is available at visit-the-capitol.mt.gov.

Become a Legislative Page or Intern

The Montana Legislature hires dozens of high school juniors and seniors to work as **pages** during each regular legislative session. Pages help legislators and the House and Senate staff by running errands, delivering messages, distributing bills, setting up and cleaning committee rooms, and performing other assorted duties.

Pages generally serve for a week and are paid minimum wage. Meals and housing are not provided.

To become a page, you must be recommended by a state senator or representative. To apply, contact the Legislative Services Division, Room 110, State Capitol, Helena, MT 59620. Or call (406) 444-3064. Applications are usually available in November.

The Montana Legislative Intern Program is designed to educate college students about state government and the legislative process by allowing them to observe and work with the Legislature during its regular

sessions.

Each unit of the Montana University System, tribal colleges, private colleges, and 2-year public colleges may sponsor at least one **intern**. Interns are selected by the president or chief administrative officer of the institution they attend.

To serve as an intern, a student must:

- have studied at least one semester of government or its equivalent at an institution of higher learning;
- be at least a junior at a 4-year school or a sophomore at a 2-year school; and
- demonstrate scholastic achievement, leadership, and community involvement.

Interns are assigned to work with individual legislators. Their duties may include doing research, drafting speeches, answering constituent mail, making phone calls and appointments, and preparing schedules and agendas.

Interns are not paid, but they may be able to get academic credit for their legislative work.

To apply, contact the office of your school president or chief administrative officer. Or call the Legislative Information Office at (406) 444-3067.

* * *

Food for Thought:

1. Do you believe it's important for citizens to get involved in the activities of the state Legislature? Why or why not?



HIGHLIGHTS FROM LEGISLATIVE HISTORY

— 1889 —

First State Constitution

In a special election on October 1, Montanans overwhelmingly adopt a state constitution and elect state officials, including 66 state legislators.

Statehood

On November 8, Montana becomes the 41st state, with 16 original counties.

First Session Stalemate

The 1st Legislature convenes on November 23 at the Lewis and Clark County Courthouse (right) amid heated partisan charges of voting irregularities in Silver Bow County.

Democrats and Republicans each seat separate delegations from Silver Bow in separate Houses of Representatives.



Due to the partisan conflict, 1st Legislature adjourns February 20, 1890, with nothing to show for its efforts. The two Houses pass separate sets of bills, but a deadlocked Senate (8 Democrats, 8 Republicans) passes none of them.

— 1893 —

State Seal & Motto

The 3rd Legislature officially adopts a state seal with the motto “Oro y Plata,” Spanish for “Gold and Silver.” The design is almost identical to the seal adopted by the territorial government in 1865.

— 1894 —

Helena Becomes Capital

Montanans vote on November 6 to name the permanent capital for state government. Helena receives 51.8 percent of the vote, just edging out Anaconda.

— 1895 —

First State Symbol

The 4th Legislature passes a law creating the first state symbol: the bitterroot as state flower.

Building a Capitol

Legislators appoint a Capitol Commission, chaired by the Governor, to secure plans for a statehouse of “highest degree of architectural beauty and constructive excellence.”



— 1897 —

Minority Party Power

The 5th Legislature convenes January 4, with 50 Democrats, 20 Republicans, and 21 Populists — the most politically divided session in the history of the state. Minority parties are represented in every session from 1893 to 1905 and many sessions thereafter.

Corruption Exposed

Newly elected Rep. Fred Whiteside from Flathead County exposes graft among members of the Capitol Commission.

— 1899 —

Vote Buying

“Copper King” William A. Clark of Butte successfully bribes members of

the 6th Legislature to get them to choose him to represent Montana in the U.S. Senate. His minions toss thousands of dollars over the transoms of legislators' hotel rooms.

Fred Whiteside (at right), now a state senator, exposes the crime in a dramatic moment on the Senate floor.



The corruption surrounding election of U.S. senators in Montana helps spur ratification in 1913 of the 17th amendment to the U.S. Constitution, providing for direct election of U.S. senators by voters, not legislators.

— 1902 —

Capitol Dedication

The new Capitol in Helena is officially dedicated with great fanfare at a ceremony on July 4. The final cost of the building, including furnishings and landscaping, is about \$540,000.

— 1903 —

Copper Collar

The 8th Legislature meets in special session December 1 - 11 to respond to a devastating shutdown of all statewide operations by the Amalgamated Copper Company. The Company puts 11,000 workers out of work in a successful attempt to force legislators to pass a “fair trial” law, allowing disqualification of judges from court cases for prejudice. The measure becomes the first of its kind in the nation.

— 1905 —

Initiative & Referendum

The 9th Legislature proposes a constitutional amendment to allow Montanans to bypass the Legislature and adopt or repeal state law through initiative or referendum. The proposal is overwhelmingly approved by voters the following year.

Primary Elections

The Legislature passes a law creating primary elections and allowing for the nomination of candidates by popular vote at primary elections.

State Flag

Lawmakers pass an **act** establishing a state flag. It features the state seal on a dark blue background. In 1981, the 47th Legislature adds the word “MONTANA” above the state seal to help differentiate the flag from those of other states.



Meagher Statue

The Legislature authorizes placement in front of the state Capitol of a bronze statue of Thomas Francis Meagher (pronounced *mahr*), a Civil War hero who twice served as acting Governor of the Montana Territory.

— 1913 —

Women’s Vote

The 13th Legislature passes a law giving Montanans the opportunity to ratify a U.S. constitutional amendment giving women the right to vote. Voters approve the measure by 52.2 percent at the 1914 general election.

— 1915 —

County Busting

The 14th Legislature passes the Leighton Act, allowing counties to split or subdivide as they see fit. The result: Montana gains 20 new counties in the next decade. This increases the political power of rural counties, since every county gets a senator.

— 1917 —

First Women

The first two women elected to the state Legislature take their seats on January 8 in the House: Maggie Smith Hathaway, D-Stevensville (at right); and Emma Ingalls, R-Kalispell (at far right).



— 1918 —

Sedition Act

During patriotic hysteria surrounding World War I, a special session of the 15th Legislature passes the toughest sedition law in the nation. Aimed at stifling criticism of the war effort, the law becomes a model for the federal Sedition Law of May 1918.

— 1923 —

Old-Age Pensions

The 18th Legislature passes an Old-Age Pension Act, setting a national precedent for care of elderly citizens. The action precedes creation of the federal Social Security system by 12 years.



—1933 —

First Native American

Rep. Dolly Smith Cusker Akers, D-Poplar (left), becomes the first known Native American to serve in the Montana Legislature.

— 1957 —

Legislative Council

The 35th Legislature creates a Legislative Council to direct research during the interims between sessions. The Council also quickly assumes bill drafting duties, reducing heavy reliance on lobbyists.

— 1963 —

Open Meetings

The 38th Legislature passes a law requiring all public agencies to allow the public to attend their meetings.

— 1965 —

One Man, One Vote

After the U.S. Supreme Court upholds the principle of “one man, one vote,” Montana is forced to undertake **reapportionment** its senate districts by population. Previously every county was allowed to have one senator. This “frees Montana Legislature from the constitutional

hammerlock of rural domination that had been created in the constitutional convention of 1889.”

— 1967 —

Legislative Auditor’s Office

The 40th Legislature creates the Legislative Auditor’s Office to monitor how state agencies spend the money appropriated to them by legislators.

— 1971 —

Voting Age

The 42nd Legislature passes a law lowering the voting age to 18. The stipulation is incorporated into the 1972 state Constitution.

— 1972 —

Constitutional Convention

Montana holds a Constitutional Convention to significantly revise and reform the state Constitution. Among other things, the new Constitution:

- limits the size of the Legislature to 40-50 senators and 80-100 representatives;
- ends the practice of having the Lieutenant Governor preside over the state Senate;
- establishes a bipartisan citizen commission to reapportion legislative districts;
- calls for 60-day annual sessions instead of the biennial sessions that have been tradition since statehood;
- requires all meetings of the Legislature and its committees to be open to the public; and
- establishes a right to privacy that is unique among states.

Montanans approve the new constitution at a June 6 election.

— 1973-74 —

Annual Sessions

For the first and only time in its history, the Montana Legislature meets

in annual sessions, as provided for in the 1972 state Constitution. But opponents of annual sessions propose a constitutional initiative to return the Legislature to 90-day biennial sessions. Montana voters approve biennial sessions by a slim margin at the November 1974 election.

— 1975 —

State Laws Updated

The 44th Legislature creates the Office of Code Commissioner to supervise the recodification of Montana laws and to provide for recodification on a continuing basis. “Recodify” is defined to mean “compile, arrange, rearrange, and prepare for publication... without changing the meaning, effect, or intent of any law.”



First African American

Rep. Geraldine Travis, D-Great Falls (left), becomes the first, and so far only, African American to serve in the Montana Legislature.

Legislative Fiscal Analyst

Lawmakers create the Office of the Legislative Fiscal Analyst to help estimate revenue from state taxes and analyze the executive budget.

— 1981 —

Capitol Restoration

The 47th Legislature appropriates \$6.7 million to restore the Capitol as closely as possible to its original appearance.

— 1992 —

Term Limits

Montanans vote 2 to 1 to limit terms of elected officials. As a result, legislators and other state officials may serve no more than 8 years in a single office in a 16-year period.

— 1999 —

Open Caucuses

In response to a lawsuit filed by Montana media, the 56th Legislature opens its caucuses to the public.

— 2001 —

Public Affairs TV

The 57th Legislature establishes a state government broadcasting service (Television Montana, or TVMT) to provide gavel-to-gavel coverage of legislative proceedings and select activities of other state government agencies.

— 2003 —

Public Participation

The 58th Legislature gives the public the right to comment at a public meeting on any matter within the jurisdiction of the public entity holding the meeting, even if the topic is not on the agenda.



The Montana Capitol in Helena is topped by a copper dome and a statue of Lady Liberty, who holds a torch and a shield to light the way and protect the people. The Capitol is sometimes called “the people’s house,” because it literally belongs to all the people of Montana.



GLOSSARY OF LEGISLATIVE TERMS

Act: A bill that has become law.

Adjournment: Ending a meeting or legislative session. When the Legislature adjourns at the end of a session, it's called adjournment sine die (SIGN-ee DIE).

Amendment: A proposed change to a bill, such as an addition or deletion.

Appropriation: An authorization to spend state or federal money. The Legislature appropriates money by passing bills that authorize agencies to spend money for certain purposes. Such bills must originate in the House of Representatives.

Bicameral: Having two legislative chambers. The Montana Legislature is bicameral. It has both a Senate and a House of Representatives.

Biennial: Occurring every 2 years. The Montana Legislature meets biennially in odd-numbered years.

Bill: A proposal introduced in the Legislature to enact a new law or amend or repeal an existing law.

Caucus: A group of legislators with a common interest. Although the term usually is used to describe the Democratic and Republican

caucuses, it also can be used to describe other groups of legislators, such as an Indian Caucus. As a verb, “to caucus” means to have a meeting.

Chamber: Either of the houses of a bicameral Legislature. The term also can be used to refer to the room in which each house meets.

Chief Clerk of the House: An employee appointed by the Speaker of the House to supervise all House employees, oversee the handling of bills, and keep House records.

Committee of the Whole: The entire body of a chamber, such as the House or Senate, sitting as a committee for the transaction of business. When the House or Senate considers a bill on second or third reading, it meets as a Committee of the Whole.

Concurrence: Agreement by one chamber to a proposal or action taken by the other chamber.

Conference committee: A committee consisting of members from each chamber. The purpose of the committee is to resolve differences in a bill that has been passed in different versions by each chamber.

Constituent: A resident of the district that a legislator has been elected to represent.

Convene: To officially begin the meeting of a legislative body.

Daily agenda: A list of bills to be considered by each chamber during the day’s business.

District: A geographical area of the state from which a senator or representative is elected. District boundaries are determined every 10 years following the completion of the census. Each district is designated by a number. There are 50 Senate districts and 100 House districts.

Effective date: The date on which a law takes effect. Most laws take effect on October 1 following a session unless the bill specifically states otherwise. Bills appropriating money take effect on July 1 following a session, and bills providing for the taxation of or the imposition of a

fee on motor vehicles take effect on January 1 following passage and approval.

Enact: To pass a new law.

Engrossing: The incorporation of all amendments and all appropriate technical corrections into the text of a bill.

Enrolling: Preparing a bill in the final form that it passes the Legislature.

First reading: The point in the legislative process when a bill is assigned to a committee for a public hearing.

Fiscal note: A page or pages attached to a bill that estimates the financial impact of a bill on the government.

Floor session: That part of a legislator's work day that takes place when the full House or Senate meets in its chambers to conduct business.

Gallery: The balcony area above a legislative chamber. The public can watch the floor sessions from here.

Hearing: Public discussion scheduled by a standing committee for the purpose of gathering information on a bill.

Interim: The months between adjournment of one regular session of the Legislature and convening of the next.

Interim committee: A group of legislators that meets during the months between sessions to study specific issues and consider whether to recommend new legislation.

Intern: A student attending a unit of higher education in Montana who is selected by the resident or chief administrator of the school to get a working knowledge of representative government by observing and working with the Legislature during a legislative session.

Introduction: The formal presentation of a bill into the legislative process. This is the point when each bill is given a number.

Joint committee: A group formed with members from both chambers.

Joint subcommittee: A group formed with members from both House and Senate standing committees. Joint subcommittees of the House Appropriations Committee and the Senate Finance and Claims Committee consider budget bills that appropriate money and give state agencies the authority to spend money.

Journal: The official record, in chronological order, of the proceedings in the House or Senate.

LAWS (Legislative Automated Workflow System): An online system the public can use to track the status of bills during a legislative session.

Legislature: The Senate and the House of Representatives collectively.

Lobbyist: A person, usually acting as an agent for an organized group, who seeks to bring about the passage or defeat of bills or to influence their content.

Majority leader: The leader of the party that has the most members in a legislative chamber.

Majority party: The political party with the most elected members.

Majority whip: A legislator selected by the majority party to help the majority leader and make sure party members are present for important votes.

Minority leader: The leader of the party that has the second largest number of members in a legislative chamber.

Minority party: The party with the second-largest number of members in a legislative chamber.

Minority whip: A legislator selected by the minority party to help the minority leader and make sure party members are present for important votes.

Minutes: A record of the actions taken at a committee meeting. The

minutes serve as the official record of the meeting.

Montana Code Annotated (MCA): The official, published version of all the laws of Montana currently in effect.

Motion: A formal proposal offered by a legislator.

Order of business: The established order of activities in floor sessions each legislative day.

Page: A high school student employed to help legislators and the House and Senate staff by running errands, delivering messages, distributing bills, setting up and cleaning committee rooms, and performing other assorted duties.

Party: A political group organized around specific principles of government. Each party works to get its candidates elected. Parties represented in the Montana Legislature in recent history include the Constitution, Democratic, Independent, Libertarian, and Republican parties.

President of the Senate: A senator selected by the majority party to preside over Senate proceedings.

President pro tempore: A senator who presides over the proceedings of the Senate when the President is absent.

Quorum: The minimum number of legislators required to be present before a legislative body can conduct business. A quorum is one more than half the membership.

Reapportionment: A process carried out once each decade after completion of the U.S. census to divide the number of state senators and representatives among the state's population so that each legislator represents about the same number of constituents. The federal government also reapportions congressional seats for each state.

Redistricting: A process carried out once a decade after each U.S. census to determine the boundaries of congressional and legislative districts based on population. Each district must contain about the same number

of people.

Regular session: The 90 days during each odd-numbered year when the Legislature is scheduled to meet.

Repeal: To get rid of an existing law.

Resolution: A formal statement of the Legislature that expresses a desire, opinion, sympathy, or request of the Legislature, that governs the business of the legislature, or that requests but does not require an interim study. A resolution does not have the force of law.

Second reading: The point in the legislative process when legislators debate and vote on a bill during a floor session.

Secretary of the Senate: An employee who hires and supervises Senate employees, keeps the records of the Senate, transmits bills and resolutions to the House, and serves as parliamentary adviser to the Senate.

Sergeant at Arms: An officer appointed to purchase supplies and equipment and keep order within a legislative chamber.

Speaker of the House: A representative selected by the majority party to preside over House proceedings.

Speaker pro tempore: A member of the House selected to preside over House proceedings in the absence of the Speaker of the House.

Special session: A session of the Legislature convened outside the regular session schedule for the purposes of addressing a pressing issue. The Governor or a majority of legislators may convene a special session.

Sponsor: The legislator who introduces a bill and guides it through the legislative process.

Standing committee: A permanent group that continues from one session to another to consider and hold public hearings on bills in a specific policy area, such as transportation or agriculture.

Statute: A law included in the Montana Code Annotated.

Table: A motion used in committees to set aside consideration of a bill. The committee may vote to take up consideration of a bill that has been tabled, but often this motion is used to quietly kill a bill.

Term limits: Constitutional limits on how long a legislator or other state official may serve in one office. State senators and representatives may serve no longer than 8 years in a 16-year period.

Testify: To present evidence for or against a bill at a committee hearing.

Third reading: The point in the legislative process when lawmakers in each chamber take a final vote on a bill. A bill may not be amended on third reading.

Transmittal: The act of sending a bill to the second chamber for consideration after it has been passed by the first chamber.

Veto: The constitutional right of the governor to reject a bill passed by the Legislature.



A 1912 painting by well-known Montana artist Charlie Russell provides a striking backdrop to the rostrum in the House chambers. Entitled “Lewis and Clark Meeting Indians at Ross’ Hole,” it’s the largest painting Russell ever did.



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The Montana Legislature makes important decisions that affect every Montanan every day. That's why it's important to understand how the Legislature works and how you, as a citizen, can influence what it does.

This guide can help you to become a better-informed citizen. It will tell you how the lawmaking process works and how you can get actively involved in it.

Among the facts you'll learn:

- The size and political makeup of the Legislature have varied considerably since Montana became a state in 1889.
- The Legislature meets in regular session for 90 working days of each odd-numbered year.
- The work of a legislator doesn't end when a session ends.
- Good ideas from citizens like you can become Montana law.