

HOUSE RESOLUTION NO. 1

INTRODUCED BY S. FITZPATRICK

A RESOLUTION OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA ADOPTING THE  
HOUSE RULES.

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

That the following House Rules be adopted:

**RULES OF THE MONTANA  
HOUSE OF REPRESENTATIVES**

**CHAPTER 1**

**Administration**

**H10-10. House officers -- definitions.** (1) House officers include a Speaker, a Speaker pro tempore,  
majority and minority leaders, and majority and minority whips.

(2) A majority of representatives voting elects the Speaker and Speaker pro tempore from the House  
membership. A majority of each caucus voting nominates House members to the remaining offices, and those  
nominees are considered to have been elected by a majority vote of the House.

(3) (a) "Majority leader" means the leader of the majority party, elected by the caucus.

(b) "Majority party" means the party with the most members, subject to subsection (4).

(c) "Minority leader" means the leader of the minority party, elected by the caucus.

(d) "Minority party" means the party with the second most members, subject to subsection (4).

(4) If there are an equal number of members of the two parties with the most members, then the  
majority party is the party of the Speaker and the minority party is the other party with an equal number of  
members.

**H10-20. Speaker's duties.** (1) The Speaker is the presiding officer of the House, with authority for  
administration, order, decorum, and the interpretation and enforcement of rules in all House deliberations.

(2) The Speaker shall see that all members conduct themselves in a civil manner in accordance with

(6) The Legislative Services Division shall publish and distribute the House journal (sections 5-11-202 and 5-11-203, MCA). The title of each bill must be listed in the index of the published session journal.

**H10-150. Votes recorded and public.** Every vote of each representative on each substantive question in the House, in any committee, or in Committee of the Whole must be recorded and made public (Montana Constitution, Art. V, Sec. 11).

**H10-160. Duration of legislative day.** A legislative day ends either 24 hours after the House convenes for that day or at the time the House convenes for the following legislative day, whichever is earlier. (See Joint Rule 10-20.)

## **CHAPTER 2**

### **Decorum**

**H20-10. Addressing the House -- recognition.** (1) When a member desires to speak to or address any matter to the House, the member should rise and respectfully address the Speaker or the presiding officer.

(2) The Speaker or presiding officer may ask, "For what purpose does the member rise?" or "For what purpose does the member seek recognition?" and may then decide if recognition is to be granted, except that the Speaker or presiding officer shall always recognize the Speaker pro tempore, the majority leader, or the minority leader.

**H20-20. Questions of order and privilege -- appeal -- restrictions -- definitions.** (1) The Speaker shall decide all questions of order and privilege and decisions of recognition, subject to an appeal by any representative, to the House for determination by majority vote. The question on appeal is, "Shall the decision of the chairman be sustained?"

(2) Responses to parliamentary inquiries may not be appealed.

(3) Questions of order and privilege, in order of precedence, are:

(a) those affecting the collective rights, safety, dignity, and integrity of the House; and

(b) those affecting the rights, reputation, and conduct of individual representatives.

(4) A member may not address the House on a question of privilege between the time:

(a) an undebatable motion is offered and the vote is taken on the motion;

(b) the previous question is ordered and the vote is taken on the proposition included under the previous question; or

(c) a motion to lay on the table is offered and the vote is taken on the motion.

(5) (a) "Parliamentary inquiry" means a request for information regarding some procedure concerning some questions before the house.

(b) "Questions of order and privilege" means those questions as provided for in subsection (3) that enforce the House rules, maintain the order of the House, and protect the integrity, rights, and privileges of the House and its members.

(6) (a) For the purposes of the House rules, "decorum" means the collective conduct required for the House to conduct business, debate questions, and make decisions effectively and without dilatory or distracting actions. Decorum requires that members refrain from using profanity, impugning the integrity or motivations of members of the body, or violating procedures around privileges and recognition.

(b) A member may not be disciplined for the content of speech that does not breach decorum.

**H20-30. Limits on lobbying.** Lobbying on the House floor and in the anteroom is prohibited during a daily session, 2 hours before the session, and 2 hours after the session. A registered lobbyist is prohibited from the house floor.

**H20-40. Admittance to the House floor.** (1) The following persons may be admitted to the House floor during a daily session: present legislators and former legislators who are not registered lobbyists; legislative employees necessary for the conduct of the session; registered media representatives; and members' spouses and children. The Speaker may allow exceptions to this rule.

(2) Only a member may sit in a member's chair when the House is in session.

**H20-50. Dilatory motions or questions -- appeal.** The House has a right to protect itself from dilatory motions or questions used for the purpose of delaying or obstructing business. The presiding officer shall decide if motions (except a call of the House) or questions are dilatory. This decision may be appealed to the House for a determination by majority vote.

**H20-60. Lobbying by employees -- sanctions.** (1) A legislative employee or aide of either house is prohibited from lobbying, although a legislative committee may request testimony from a person so restricted.

(2) The Speaker may discipline or discharge any House employee violating this prohibition. The Speaker may withdraw the privileges of any House aide violating this prohibition.

**H20-70. Papers distributed on desks -- exception.** A paper concerning proposed legislation may not