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HOUSE RESOLUTION NO. 1

INTRODUCED BY ****

BY REQUEST OF THE ****

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.

1 a correction to be made when suggested subject to objection by the House.

2 (5) The Speaker shall authenticate the House journal after the close of the session.

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

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

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

11 **CHAPTER 2**

12 **Decorum**

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

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

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

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

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

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

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

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

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

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

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

4 (5) For the purposes of this rule:

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

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

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

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

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

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

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

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

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