

Memorandum of Agreement

This Memorandum of Agreement is made and entered into by the Historical Society and the Legislative Branch and extends for an indefinite period of time. In the event that a party to this agreement wishes to terminate participation in this Memorandum of Agreement, the party must provide written notice to the representatives or their appointees at least 30 days prior to termination.

Section I: Purpose

The purpose of this agreement is to provide a basis of understanding for the expectations of behavior within legislative space of the Capitol Building and the minimum level of decorum expected of Historical Society tour guides or other Historical Society employees who access House and Senate Chambers or other legislative space within the Capitol Building.

Section II: Roles and Responsibilities:

It is expected that Historical Society employees and volunteers will need to access Legislative space for the purpose of tours for the public, school groups, and others for inspections and necessary maintenance of the art and statuary within the Capitol Building. They may also request or reserve rooms for the purpose of meetings or historical lectures (through the standard room reservation process). It is expected by the Legislative Branch that anyone who accesses legislative space and especially the House or Senate Chambers is aware of the following facts:

- The House Charlie Russell painting, Senate bronze, and the numerous other statues, paintings, and fixtures found in legislative space are extremely valuable and important historical treasures.
- The House and Senate Chambers themselves, the rostrums, and desks are historic.
- The Chambers are devoted space for the Legislature and the decorum and behavior within the Legislative Chambers is held to the highest standard.
- The desks are the personal space of individual Legislators throughout their terms. Senators and Representatives often leave their personal belongings and papers in the Chamber or their desks expecting it to be secure and protected.
- Events in the Chambers are expected to maintain respectful decorum and are often interpreted by the public as having the support of the Legislature and Legislators. At any time within the Legislature or any group of Legislators there will be various opinions on any topic; therefore all activities within either Chamber or any legislative space are strictly regulated to promote respect for the Legislature itself and its members and to retain a sense of impartiality on any given topic.

These are the expectations and conditions upon which the Chambers may be accessed:

- Non-Legislators are not allowed to sit in legislator desks, approach or access the upper rostrum, or use any microphones or vote buttons without explicit prior approval from the Sergeant at Arms or the Legislative Services Facilities Coordinator. If someone needs to

sit down or rest during a tour, please have them use the page chairs, back benches, or side chairs, not the rostrum or legislator chairs.

Suggested substitute language: *Non-Legislators are not allowed to access the upper rostrum or use the microphones or vote buttons without explicit prior approval from the Sergeant at Arms or the Legislative Services Facilities Coordinator. If a tour group is accompanied, the members of the tour may sit in legislator chairs, the page chairs, back benches, or side chairs.*

- Any approved access to the upper or lower rostrum to better see the art works must be closely supervised to prevent damage, touching, or flash photography.
- Use of the upper or lower rostrum to speak from or have photos taken, must be preapproved by the Sergeant at Arms or the Legislative Services Facilities Coordinator.
- Doors must not be propped open or left unlocked and people must not to be left in either chamber unsupervised.
- **If you open the doors or bring anyone into any legislative space, you assume the responsibility and are expected to control and monitor their behavior and activities, enforce the rules, prevent damage, and, if necessary, summon assistance from the Sergeant at Arms or Helena Police Officers to enforce the standards of behavior. You also are responsible to verify that everyone let in then leaves and that the door is securely locked behind you when you leave.**
- The use of the chamber and hearing rooms is governed by section 2-2-121(3), MCA, *which prohibits public officers and employees from using public facilities to solicit support for or opposition to any political committee, the nomination or election of any person to public office, or passage of a ballot issue.* It is important for elected officials to remember in the event that photos or video interviews are desired within the chamber that campaign-related photos or video interviews are restricted in either Chamber or any hearing rooms. Legislators seeking information on campaign guidelines or photos should be directed to the Office of Political Practices or the Legislative Services Chief Legal Counsel.
- Absolutely no filming, photo shoots, interviews, monologues, commentaries, or skits may occur on site in any legislative space without the prior and written permission and supervision from the Sergeant at Arms or the Legislative Services Facilities Coordinator. Media with prearranged press passes can film within the chamber as governed by their press pass agreements.
- On an official tour with a Historical Society Guide or a preapproved reservation in a Legislative room or Chamber, standard tourist nonflash photographs of the room, art, or simple individual or group photos within Legislative space are allowed. To assist in the preservation of the paintings, flash photography or additional lighting is forbidden without prior evaluation and approval.
- Tours are provided by the Montana Historical Society during the hours the Capitol is open to the public and are provided as a free service to the public, schools, or other

groups by arrangement. During a tour, a tour guide explains the art, artists, history, restoration work, and important historical happenings within Helena, the Capitol Building, and state government. Anyone wishing to arrange a tour, should call (406) 444-4789 or <http://visit-the-capitol.mt.gov/#tour>

If you have a question on allowable use or the decorum expected in any Legislative space within the Capitol (defined as all offices, all hearing rooms, either Chamber, and any nonpublic halls or spaces in the Capitol building with the exception of the 2nd floor), you must call the Sergeant at Arms or the Legislative Services Facilities Coordinator prior to accessing the space. The 2nd floor Secretary of State Office, the Governor's and Governor's Budget offices, and the General Services controlled public hallways, rotunda, and mechanical rooms are not covered by this agreement.

Keys: Immediately report the loss of any key.

Press Conferences or Rallies: Groups wishing to have a press conference, lobby or support any topic, initiative or bill, or rally for any purpose should be directed to General Services Division, Old Livestock Building, 1310 East Lockey, (406) 444-3060, to obtain or reserve space *in the public areas of the building* such as the rotunda or the front or rear lawns. Such activities are not allowed within hearing rooms or either Chamber.

The public space in the fan window area can be reserved through the Senate Sergeant at Arms, (406) 444-4878 (during session), or Legislative Services, (406) 444-3064 (during the interim).

This Memorandum of Agreement is agreed upon by the Historical Society and the Legislative Branch as guidance to tour guides and Historical Society employees and is in addition to the policies held in the following documents. All of the restrictions and procedures held in the following documents must also be followed by anyone using the Capitol Building, the surrounding grounds, public areas and space within the Capitol Building, and the areas controlled by Legislative Branch, Governor's Office, and Secretary of State.

Section III: Addendums:

Conduct Policy for State Space and State Grounds in Montana Operations Manual (MOM)

The Rules of the Montana Legislature (specifically S10-50, S20-50, H10-20 and H20-40)

Policy on the Use of Legislative Space

Capitol Rotunda and Grounds Use Permit

Capitol Building Meeting Rooms Use Form

Section IV: Legislative Designated Contacts are:

Senate Sgt. at Arms Room 375 Capitol Bldg. (406) 444-4878	House Sgt. at Arms Room 470 Capitol Bldg. (406) 444-4200	Legislative Facilities Coordinator Room 154 Capitol Bldg. (406) 431-7890
---	--	--

Section V: Historical Society Designated Contacts are:

Outreach & Interpretation Program Manager Historical Society 3 rd Floor (406) 444-4741	Centralize Services Administrator Historical Society Main Floor (406) 444-4699	Director Historical Society Main Floor (406) 444-5485
--	--	---

Section VI: Authorized Signatures

This Memorandum of Agreement is authorized and agreed upon by the signatures listed below:

Senator Debby Barrett, President

Date

Representative Austin Knudsen, Speaker

Date

Adopted by the Legislative Council on **** Date

Bruce Whittenberg
Director
Montana Historical Society

Date

cc: [Executive Director, Legislative Services Division](#)
Directors Office, Department of Administration
Directors Office, General Services Division