1991

Training legislators: An option for Montana.

Joan K. Miller

*The University of Montana*

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TRAINING LEGISLATORS:
AN OPTION FOR MONTANA

By

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B. A., Carroll College, 1981

Presented in partial fulfillment of the requirements
for the degree of

Master of Public Administration

1991

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June 12, 1991
Date
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CHAPTER 1

PROBLEM STATEMENT

In Montana, the elected legislators are often disparaged, by constituents dissatisfied with what many loudly proclaim as the inept leadership of their State. To become a Montana legislator, one must only be able to sign his or her name on the dotted line and conduct a strong campaign. In Montana, as in all democratic societies, it is commonly believed that elected officials possess the necessary knowledge, skills and abilities to perform the functions of legislators.

This is not necessarily true. Montana's legislature is genuinely a "citizen legislature; 150 legislators are selected from a population of about 800,000, and meet for one ninety day period every other year. These are not professional, full-time legislators. Few legislators possess the skills to effectively interpret documented laws. In some cases, the newly elected legislators have never been to the Capital to observe the legislative process. The public assumes that
these people know enough to lead the State, and therefore, very little orientation, training or guidance is provided to the legislators.

To make matters worse, the legislators receive no personal staff to assist with research, office space in which to work or the use of personal computers. A high turnover rate compounds the problem; 47 percent of the representatives and 30 percent of the senators were new to the legislature at the start of the 1991 session. Montana's legislative turnover rate has increased from 31 percent for representatives and 14 percent for senators since the 1989 session. This turnover rate has increased steadily since the 1981 session.¹

"Observers have long agreed that brief service period caused from rapid 'turnover' of legislators tend to make them captives of special interests rather than masters of the legislative art."² This high turnover suggests a training period may be very appropriate before every session.

Given the "citizen legislature" structure with high turnover of membership, legislative training is an option that should be investigated. With proper pre-session training, a
legislator may be able to perform in a more effective manner and not feel so paralyzed during the first weeks of the session. Training could prevent some of the costly and embarrassing mistakes that occur during the legislative session. One such mistake was noted by Senator Fred Van Valkenburg, a Democrat from Missoula, during a debate he said, "Slow down folks. You don't understand the check and balance of the system. You can't just hand this kind of unchecked power to a governor. You will enable the governor to become a dictator."³

Background

Election to the Montana legislative branch has never required qualifications, such as education, experience or training. This contrasts with the Judicial branch which requires certain qualifications (education and experience) before a person can submit his/her name for consideration. The Judicial branch is usually assured of knowledgeable applicants before the election actually takes place.

Currently, under this State's hiring procedures, a grade four file clerk is required to have more qualifications and
training than an elected official for the legislative branch.

A file clerk must have a high school diploma or equivalent and knowledge of office procedures, and then has a mandatory training period after employment. In contrast, newly elected legislators are not required to have either of these qualifications, nor is there a mandatory training period, and yet, they have the authority to render decisions that affect the direction of the entire State. The legislative process has a major potential flaw, when legislators may not have experience in leadership or government and may not possess the knowledge and ability to effectively perform the job for which they were "hired." It is time to reevaluate the system and make the necessary improvements.

The founders of the United States political system assumed the legislator would be a very elite position. The political process would provide the necessary training and background for the legislators. But, Montana is small (in terms of population) and rural, with legislators lacking experience in governing at any level. This is an extreme form of citizen legislature, with a small governor's office that frequently does not provide strong leadership (for example, in
1991, the Governor was Republican and both Houses were Democrat). Under this extreme citizen legislature, with short terms and less than adequate leadership, the political processes may not always be able to provide for this "training" function.

Lack of training and/or experience is regularly demonstrated by the Montana legislators. Each day, there are numerous instances of ineffective job performance by legislators. The newspaper referred to the legislative session of 1989 as the "foolish legislative session." As was written in the Independent Record, "Every legislative session, we seem to have our intelligence tested by at least one of our so called representatives, but never as much as this year." Some of the actions deemed foolish by editorial writers may simply stem from a fragmented, resource-poor governing structure. But given the character of the Montana Legislature, it seems possible that inexperience and less than adequate knowledge, abilities and skills may be to blame.

A pre-session training period may help alleviate some of the problems. With the proper training, a more productive
legislative session may be possible. Time may not be wasted
the first six weeks with "on the job" training. Senator
Delwyn Gage, a Republican from Cut Bank said, "Until the 44th
legislative day, we really don't accomplish much." The
failure to start the session aggressively could be due to
several factors, but there is reason to suspect that less than
adequate legislative training may be part of the problem.

Legislative training would enable the legislators to
better understand the process, which might make the first
session easier and less mystifying. With the proper pre-
session training, the legislators may be more apt to consider
reforms and new approaches. The new legislators spend a
portion of the session learning the system instead of
developing solutions to substantive issues.

During the 1991 legislative session, there were over
2,000 requests for drafting of bills, setting a new record for
bill drafting. This increase was, in part, attributed to the
larger than normal contingent of freshmen legislators.
Lacking knowledge of the process, freshmen may have made
excessive requests. As a result of the excessive drafting
requests, "committees rushed to meet the deadlines for
transmittal, ignoring advance notice requirements for
hearings, made last minute schedule changes and left the
public out in the cold," in the view of Jim Murry, executive
secretary of the Montana AFL-CIO. 8

It is necessary for Montana's legislators to become more
effective. Making training available during the first week of
each session may enable legislatures to gain more insight and
help eliminate the haphazard method of decision making that
now occurs in Montana.

The second chapter presents compiled information on
qualifications, turnover, professional status and training
currently performed in the states. Chapter three concentrates
on the Montana legislature and includes interviews with
selected legislators and the associated results. The final
chapter provides conclusions and recommendations.
CHAPTER II
EVALUATION OF ALL STATES

The Selection Process

In order to determine how Montana ranks in regard to legislative training, information was gathered from all fifty states. Each state, in the United States, files a legislative report with the National Conference of State Legislatures and The Council of State Governments. Information was gathered from both of these agencies and compiled for each state for: training mandated by law, legislator training before and during sessions, the type of training, training target group (newly elected or veteran legislator or spouse), extent of training, and kind of facilitator (such as veteran legislators, professional teachers, Legislative Councils or outside professionals).

Telephone interviews were conducted with state administrators when the information was ambiguous or contained
conflicting views. Phone interviews were conducted with officials in Kentucky and Colorado.

Background

State legislators may be our most extreme example of institutional lag. In their formal qualities, they are largely nineteenth century organizations and they must, or should address themselves to the twentieth century problems. This quote by Alexander Heard, the president of Vanderbilt University has been referenced as the starting point for improving state legislatures. From this point, The Council of State Government and The Conference of State Legislatures was developed to help solve the problem.

The 1960s and 1970s brought many changes to legislators across the county. These changes included longer hours, more complex problems, change of relationship between the states and the federal government, an increase in special interest groups, professional lobbyists and the increase use of modern technology. The roles of the legislators were increasing and becoming more demanding. These changes meant a large increase
in legislative responsibilities, but nothing was done
to increase the capabilities of the legislators to adapt to
these increased responsibilities.

The Findings

Most states have found that there is a need to strengthen
the legislative process. One method of reinforcing the
process is to increase the knowledge of the legislator by
offering appropriate training. Some states target only the
newly elected legislator for training, while other states
offer programs for all legislators. Such programs include:
conduct issue conferences, continuing education programs,
spouse programs and mock legislative sessions. Whether
training is directed at newly elected or returning veterans,
the amount of training offered is on the increase, and
becoming even more of an issue for consideration.

In 1933, Massachusetts was the first state to implement a
legislative training program. The first training sessions
provided only orientation for the newly elected legislator,
but has grown to include a spouse program in addition to many
professional training courses. When Massachusetts started the
program most states felt that it was not necessary and would fade out in time. But with the increase in legislative work loads, time constraints, complex issues and extreme stress for the legislatures, the number of training programs have grown and all fifty states now offer some type of training or orientation. Even the twenty-nine states that have a professional legislature are offering orientation along with other forms of training. The states with professional legislatures are the most progressive in their training programs by addressing personal needs of the legislator and offering continuing education to meet those needs.

All fifty states currently use computers during the legislative process. But only two states, Iowa and Alaska, offer computer training courses to the legislators.

The training for freshman legislators includes comprehensive programs in thirty of the fifty states. These programs are designed to provide the basic knowledge required to help alleviate the "freshman jitters." The topics include:

Legislative functions

Organization and structure
In addition to the freshman training programs, ten of the thirty states offer self improvement sessions. These training sessions address such topics as time management, effective communications skills and stress management techniques.

With the time constraints and the increasing complexity of issues facing most legislatures, both the personal and professional demands have intensified. To deal with these ever growing demands, twenty-six states are now experimenting with training programs designed to increase the skills and knowledge of attending legislators. The major focus of these programs are in either issue conferences, continuing education programs, or spouse programs.
Twenty-three legislative bodies now offer the spouse program and feel that it has been a valuable method for addressing the pressures of legislative duties and the associated effects on a new legislator's family. Some states encourage the legislator and the family to attend the spouse program together to achieve maximum results. Evaluation results from these programs have been very positive.

Another training technique used by twenty-eight legislative bodies is to provide mock sessions. The mock sessions last from one to three days and gives the new legislators the opportunity to have "hands on" experience without the pressure of actual sessions. During these mock sessions the new legislators are called upon to obtain information by enlisting the help of legislative staff members. These training sessions strengthen the link between freshman legislators and staff members by allowing the freshman an opportunity to utilize the staff.

Only three states have emphasized the importance of pre-session training and orientation by implementing statutory mandates. These states are Kansas, North Dakota and Kentucky.
The mandatory pre-session training includes freshman orientation audio and visual aids, handbooks and videos of mock sessions. Kansas includes veterans in their pre-session training. Kentucky has added a spouse program to their required training.

Wyoming is a sister state to Montana and shares similar legislative structures. Both states are rural, under 800,000 in population and are represented by citizen legislatures. However, Wyoming's Representative turnover rate was less than half of Montana's, 23 percent as compared to 47 percent for Montana. The Wyoming Senate had a 20 percent turnover rate as compared to Montana's rate of 30 percent. Wyoming is currently offering extensive training for their legislators. The training offered by Wyoming includes: mock sessions, audio and visual aids, film and tapes and continuing educational programs.

Wyoming has taken a vital interest in the training of their legislators. Each year additional training is added to the Wyoming training program. This is a relatively new training concept for Wyoming, but since the inception of a
training program, Wyoming's turnover rate has declined. Although this is a small sample, the drop in the turnover rate could be indicative of adequate training. Wyoming offers legislative training and their turnover rate is lower than Montana's.11

As previously indicated, most states are addressing the problems of the legislators by developing pre-session training programs taught by professional development centers under the guidance of professional trainers. Those states that are actively training their legislators are experiencing decreased turnover rates.
CHAPTER III
MONTANA LEGISLATIVE INTERVIEWS

The Selection Process

In this study, legislators were interviewed about the desirability of training and the types of training needed before and during each session. With the legislature in session, it was possible to conduct personal interviews, which is generally preferable to written questionnaires. Each selected legislator was asked the same eight questions (listed in Appendix A). Interviews were conducted in the Capital Building during the 1991 session. Legislators were interviewed in their offices when possible, but many do not have offices and those interviews were conducted in available committee rooms.

The questions included eight major topics concerning education and training before and during the legislative session. Interviewees were also asked to comment on any major
problems they may have encountered during his/her first session. The questions were designed to determine if a need for training is perceived to exist, what training programs should be included and if the political parties need to be active in the training of the legislators.

A sample was selected to represent the legislators. A legislator from each major city was selected. Included in the major city category were; Kalispel, Missoula, Butte, Helena, Great Falls, Bozeman, Billings and Miles City. The balance of the interviewees were selected throughout the state to insure that certain variables were addressed and equally represented. These variables are location, length of term and political affiliation.

One objective of the selection process was to determine if location had an impact on the amount of training and general information provided. Representatives from small, inaccessible towns located far from the Capital were selected to assist with this evaluation. These small towns included Alder, Dupyer, Malta, Sheridan, Lodge Grass, Trout Creek and
Redstone. In the case of Redstone, the main source of information comes from Canadian television.

Age was not considered a factor for responses during the interview process, although legislators did vary significantly in ages. The ages of the population ranged from 31 to 75. The answers to the selected questions did not appear to be impacted by the age of the interviewee and therefore, answers are not separated by age factors.

Forty percent of those interviewed are female, which is only slightly over the representative population for female legislators. In the 1991 legislature, 21 percent are female as compared to 79 percent male.¹²

To address the issue of training before each session, legislators with different experience levels were selected for the sample. The experience level ranged from newly elected legislators to the Speaker of the House, currently serving his eleventh term. First year legislators have the most to learn; therefore, collection of information was concentrated on
freshman legislators. The population selected represents 50 percent freshman with 17 percent in the second term, 5 percent in the third term and 28 percent serving four or more terms. This population sample resulted in a variety of responses to the training issue, associated to experience levels.

The President of the Senate and the Speaker of the House were contacted to get their perspective on training requirements for legislators. Three legislators, chosen for the sample, declined to be interviewed. No explanations were provided for declining the interviews.

**Results**

Each question is documented in numerical order. Following the list of questions are the composite results from all of the interviews by individual question identified by number.

1. What did you personally find most difficult your first session?

2. What was your involvement with the legislative session before your election?

3. What training relative to the legislature did you receive prior to your election to the legislature?
Was your educational background or work experience beneficial during this session?

4. What training did you receive after your election to the legislature?

5. If you received training, did you find the training helpful? What did the training include?

6. Do you feel a training period prior to each session would help you be more prepared and productive as a legislator?

7. What do you feel would be valuable training topics?

8. Are there any other thoughts or information you would like to contribute regarding legislative training?

1. First Session Difficulties

The first question presented different findings from first term legislators as the 1991 Legislative Session progressed. The first three interviews were with first term legislators during the first six weeks of the session. During this period, hearing procedures and the bill process were considered the most confusing issues. As the session progressed, it was apparent that first term legislators were getting more comfortable with their roles and other issues began to appear as more important. However, 90 percent of the
interviewees did agree that there were two major problems encountered during their first session:

1) legislative hearing procedures; and

2) understanding the procedures of a bill from drafting to law.

One hundred percent of the interviewees said the first four to six weeks of a session is a training period for a newly elected legislator. The first one or two weeks are usually considered a "refresher" period for the veteran legislators, as they felt they possessed the basic knowledge of the legislative process.

In addition, the legislators identified the following items as problems; 1) obtaining information on an issue, 2) budgeting or managing time, 3) the tax structure, 4) rules and procedures, 5) need for staff assistance, 6) computers and software application and 7) the impact on personal life.

Gathering information on an issue proved rather difficult for most legislators. The legislators do not have time to research an issue and feel the availability of legislative
staff is extremely limited. Representative Tim Dowell, a Kalispel Democrat, felt the best source of information was the citizen lobbyist. Representative Dowell stated, "They will get all the required information together to help sell a bill." Not every legislator is aware of this resource and not all bills have involvement of a citizen lobbyist. As Alan Rosenthal indicated in an article *State Legislatures*, "It is not unusual to hear legislators announcing their urgent need for more staff when they have not yet begun to tap the staff already available." ¹³ This was viewed as a possible problem for Montana Legislators. Effective utilization of staff is critical if legislators are to gain any benefits.

Budgeting or managing time was another major problem. With the excessive flow of paperwork and the irregular hours spent in committee meetings, most legislators are overwhelmed. Many legislators complained about the lack of time to answer correspondence, read bills and research the issues.

The tax structure is complex and causes many legislators difficulties. Part of this problem was associated with the determination of the appropriate dollar amount from a new tax
and the impact on constituencies. The example cited was the tax on state retirees. The expected revenue from this tax varied as much as five million dollars. (From the interview with Angela Russel)

Rules and procedures help guide and control the legislative process. For members to accomplish their legislative duties, a thorough knowledge of parliamentary procedures is essential. An understanding of the order of business, house and senate rules, debate procedures, and the offering of motions serves to guide a legislator during deliberations. In Montana, committee meetings are conducted using Mason's Rules instead of Robert's Rules. Other than legislative meetings, Robert's Rules are the most prevalent method of conducting meetings. Many new legislators made numerous procedural errors by responding using the format for Robert's Rules instead of Mason's Rules. During an interview with a freshman, he said he was not having any difficulties with meeting procedures as he was familiar with Robert's Rules. This was six weeks into the session and he did not realize that Mason's Rules were used instead of Robert's Rules.
Very few legislators have their own staff. Some legislators hire assistants. But as a rule, staff is only provided for the officers. Legislators do have the use of the Legislative staff but not personal staff.

The tremendous growth of legislative information and the need for analysis capabilities has increased the need for personal computers. In the Montana Legislature, there are very few computers available to the legislators. Most interviewees were not aware of the available computers and the software applications.

A legislator has to make the largest adjustment in their personal lives. A majority of the legislators spend the session in Helena, separated from family. The spouse is often called upon to fill in for the legislator. The legislator and the spouse have difficulty in "juggling" the professional and personal responsibilities.

2. Legislative Involvement Before Election

Of the selected interviewee pool, only 17 percent had prior experience or involvement with the legislative process
before their election. This experience was gained from being former lobbyists. However, Senator Mignon Waterman, Helena Democrat and former lobbyist, felt that there is still a long learning period which appropriate training could shorten.

3. Training Before Election

Based on the results of 78 percent of the interviews, each political party played a very active training role during the pre-election process but once the candidate is elected the training assistance stopped. The training offered prior to the election is considered minimal. This "training" is offered by each political party to the candidate. The assistance given from the "party" is not actually legislative training but more on "how to get elected." This assistance is in the form of guidance in answering constituents questions on the party's standing on particular issues or how to present the best possible answer without jeopardizing the election. Instructions for running a campaign and debate assistance is also included in the pre-election training. The Party is very much involved prior to the election. But, as Representative Dorothy Cody said, "Once you're elected, you are on your own. There is very little sharing of information or actual
training. Training is the weakest link in the process of party recruitment."

The educational background and work experience of the interviewees were varied. Eighteen percent of those interviewed felt their educational and work background was beneficial. This percentage represented the lawyers. Through their intense work with laws, the lawyers understood the process of a bill becoming law. They had worked with and understood the difference between the Montana Code Annotated and the Administrative Rules of Montana. The remaining 82 percent felt their education and work experience had not helped in performing their legislative duties.

4. Training After Election

The current training offered to legislators after election is minimal and associated with the political party. During the leadership elections, the Democrats held a caucus for freshman and candidates. The focus was on developing a relationship between freshmen representatives and elected leadership. Freshman were encouraged to communicate openly with the leadership candidates.
The 1991 session was the first time the Democrats implemented the "buddy system." Each freshman representative was assigned a veteran representative to assist the new elected representative during the session. The freshmen were encouraged to seek out their "buddy" whenever they deemed it necessary. However, the success of this system is regarded more highly by the veterans than by the freshman. A freshman representative caucus was established at the beginning of the session, for a sharing of ideas among the newly elected, but it faded after a few weeks. Tim Dowell, democrat representative from Kalispel, said the freshman caucus faded do to lack of time available and the coordination of free time among the freshman. The Democrats did not establish any type of assistance for the newly elected senators.

The Republicans held weekly informational meetings for the freshman representatives, but nothing for the newly elected senators. During these meetings, day to day issues were covered. Some issues had to wait a week before it could be addressed. This did cause a problem for the freshman. The issue would be forgotten or pushed aside by issues considered
to be more urgent. All the republican representatives felt the orientation process could be strengthened.

Both political parties are given a joint pre-session overview from the Legislative Council on the Capital Building facilities, assistance available, the availability of computers and the software in service. This information is presented in a very condensed manner in a two hour period. So, in essence, there is no actual training, just a short briefing period.

5. Benefits of Training Received

All the interviewees, receiving orientation, agreed the amount of information shared was extremely helpful. Representative Mike Foster, a Townsend Republican, indicated, "As a freshman facing the overwhelming responsibilities, any orientation or training is appreciated." The legislators that had not received training felt it could be a very useful tool. However, very few people will admit to feeling training is not a useful tool.
6. Need for Training

One hundred percent of the interviewees felt that additional training would assist them in performing their official duties. House Speaker Hal Harper said, "New legislators are the future of Montana and are a powerful resource for the state. These first term legislators are a great source of new ideas. Training would only enhance their abilities." He felt training would enhance the newly elected legislator’s confidence in voicing new ideas.

Pre-session Training could possibly enable legislators to be more effective during the initial period of the session which is currently considered the training period. Speaker Hal Harper reflecting on his first session said, "A freshman was to come in, sit down, shut up and listen. Freshmen were pushed aside." Representative Jim Elliot, Democrat from Trout Creek, agreed with this view.

Representative Elliot stated, "With the right type of training, a newly elected legislator would be able to start the session with a familiarity of the process." Senator Dennis Nathe, Republican from Redstone, felt that many lacked
an overall perspective of the process and this needed to be addressed in training. Senator Don Bianchi, a Democrat from Belgrade was very forthright by saying "the big thing is to have more help--however we can get it."

7. Training Topics

The legislators had many constructive ideas for training topics. Speaker Hal Harper felt the entire legislative body would benefit from a professional speaking training program. Other legislators suggested computer training, budgeting and taxation and how they work together. Senator Nathe, suggested that both Houses receive joint training to better understand the flow of information between the Houses. One hundred percent of the interviewees felt the training program for the freshman needed to be enhanced and most felt a mock session would be the best method to complete the task.

8. Other Comments

Most of the legislators did not hesitate to point out the financial burden that would be created by a training session. This burden would be placed on the state and if not statutorily addressed, the legislators. A training period
would required legislators to take time from work with no reimbursement. Few would be willing to attend under those circumstances.

Another problem would be convincing the veteran legislators that they would benefit from a training session. Many feel that veteran legislators see themselves as educators instead of students. Some freshman legislators agreed by stating, "the proper place for the training should be with the political party not with a professional development center."

Senator Nathe jokingly stated, "If the goal is to improve the process, the best system for efficiency would be a dictatorship with intermittent assassination."
CHAPTER IV

CONCLUSION

Overview

Montana is delinquent in its duty to provide proper training for both newly elected and veteran legislators. The excessive bill requests, increased frequency of special sessions and Montana's high legislator turnover rate indicates that the legislative process needs to be enhanced. Some possible solutions may include:

- annual sessions;
- extended sessions, or;
- increasing the availability of staff to assist the legislators.

However, the most appropriate long term solution may be to provide an effective training program for all legislators.

The increased numbers and complexity of issues facing legislatures today has heightened the need for comprehensive and current information. Most states are responding to this
need by offering training and continuing professional education programs. "The legislature has awakened. It has recognized its constitutional power and the need to provide itself with sufficient resources to assert that power." Training is part of providing sufficient resources.

Training programs are of particular importance given the current trends in society. Three trends are evident in state legislatures, 1) emphasize the need and availability of training, 2) staff development to gain continued professionalism and specialized expertise and 3) increasing role in the budget processes. These are very progressive trends and the more progressive states are developing in-dept training programs.

Montana has, in the past, been viewed as a progressive state. Montana was the first state to address the issue of welfare in the state constitution, mandating that each person had the inalienable right to pursue basic necessities and health. Another progressive idea was to develop a provision creating a duty of the state and its people to protect and improve the environment and authorizing a right to a clean and
healthful environment. Montana also considered a trust to help our future generations. Now, Montana needs to remain progressive by developing and maintaining ongoing training programs for our legislators.

Other states have developed and implemented training programs to improve the institutional understanding and legislative skills of the first-term legislators and refresher courses for returning legislators.

**Training Recommendations**

The orientation of the freshman legislators is a critical part of any training program. The National Conference of State Legislatures has observed in a 1986 report that in order to become an effective member, the freshman legislator must be educated in and familiar with the following topics: legislative functions, organization and structure of the institution, rules and procedures, housekeeping details, state government organization, legislative staff and other resources, and press and lobbyist relations. A program addressing all eight of these topics would provide the new legislator the skills needed to establish a solid foundation.
The training on legislative functions should address three major areas: 1) budget review, 2) lawmaking process and 3) oversight. Each should include a detailed explanation of the essential steps involved. The Conference planners suggest addressing each of the three areas as follows:

1. Budget review should give insight to the procedures, including the members' role in the process, restrictions on legislative fiscal authority, budget preparation and submittal, fiscal committee practices, fiscal note requirements and federal funds.

2. Lawmaking process should address enacting process, including the introduction of bills, drafting and filing, bill referral, amendments, hearing procedures, and committee and floor action and enactment.

3. Oversight process, including the importance of it and techniques utilized to achieve program review and control for continuous monitoring of executive operations.
Legislative organization and structure is complex and not identifiable with other organizational structures, therefore, is an important topic for training. The determination of legislative power and how and when it is delegated is dictated by the structure and organization. An understanding of the role of leadership, the committee system, legislative officers, party caucuses and House and Senate relations enhance the abilities of the freshman legislator in achieving the legislative objectives. The leadership, in both Houses, as well as the chief clerk of each House, sergeant-at-arms and security personnel should explain their roles, the services available and the process of initiation of service requests.

Rules and procedures help guide and control the legislative process to maintain order and decorum. A freshman legislator should have sufficient knowledge of parliamentary procedure to accomplish the legislative duties and goals. A training program should assist the new legislator to participate effectively by including:

1. Rules governing floor and committee proceedings, including attendance, voting requirements and the order of business;
2. Purpose and utilization of different motions and how they are offered;
3. Procedures and appropriate conduct for floor speeches and debate;
4. Function and use of the journal and calendar;
5. Organization of the body, including selection of leadership and adoption of rules; and
6. Requirements for bill filing, limitations on introduction and amendment procedures.

To enhance the rules and procedures, a mock legislative session should be implemented. A mock session enables the new legislator to gain the necessary poise and confidence needed when addressing the House assembly.

Legislative ethics and etiquette present a complex issue for the new legislators. There are several important points that need to be incorporated into the training program. These are:

1. Keep your word and abide by your commitments;
2. Don't deal in personalities, don't make personal attacks on other members, address the bill not the person
3. Be friendly and courteous, even if you disagree; and
4. Be frank and honest in explaining bills, don’t conceal the real purpose of bills or amendments.

The Wyoming training handbook quotes Representative Jack Sidi as telling incoming lawmakers: "The system is based on faith. Always tell the truth, never con fellow legislators. Tell it like it is; and tell it all." One of the frequently used methods of ethics training is by video tape. The video presents various situations then a group discussion follows. This method has proved to be very effective.

State government organization training can prove beneficial for some new legislators. A presentation by state agency personnel may enhance the new legislators' abilities to understand the bureaucratic process. In other states, a departmental personnel contact list is established to assist the legislator in obtaining information from the department. These two items have heighten the new legislators' insights and should be included in Montana's training program.

Availability of legislative staff and the resources is often overlooked in training programs. It is essential during this new phase of increasing complexity of issues, changing
technology, and time constraints that the new legislators are aware of the staff assistance and resources that are available. Legislative staff can assist with bill drafting, substantive and fiscal research, budget analysis and speech writing. To receive the most profitable assistance from the staff, the new legislator needs to learn how to: present the request in a clear manner with as much detail as possible and ask for the necessary assistance. Alan Rosenthal said in *Politicians and Professionals*, "One major limitation of the use of staff is simply the lack of legislator awareness that assistance is available." The staff resources need to be clearly identified and outlined to ensure the ultimate use by the new legislator.

The press and the lobbyist can serve as a monitoring function for the legislator. The media links the legislator to their constituency and assists in disseminating information. New legislators can benefit from a solid relationship with the press. Lobbyists can provide useful information for debating bills. In addition, lobbyists can point out the technical and substantive problems in legislation. A training program should include a section on
the methods of dealing effectively with the press and lobbyists. Lobbyist from both citizen and professional groups can be of assistance or can disrupt the legislative process. A new legislator needs to be aware of the type of assistance and the lobbyist's impact during a session. This is information that should be included in a training session.

Housekeeping details are currently addressed in the Montana orientation for freshman legislators. The orientation covers such matters as assigning seats, location of specific areas at the Capital Complex, parking, paychecks, mail service, supplies, and office accommodations when applicable. As stated in the Illinois handbook, "Members need to know the basics in order to perform their duties and carry out their legislative responsibilities."

In addition to the freshman legislator training, there should be training sessions that would enhance the capabilities of the veteran legislator. Some states offer a spouse program, which assists the legislators' spouses in dealing with the responsibilities of covering for the legislator. A veteran spouse, with ten years of experience,
indicated the benefit of attending the spouses’ program before each session. "There are always new and challenging issues that the spouse must learn to address," was a quote in the Colorado training program handbook.

Continuing professional education would also be beneficial to the veteran and newly elected legislators. The education would include computer training, professional speaking, constitutional and local history and a basic course in political theory. A professional development center, with the aid of qualified instructors, would need to develop and maintain the educational program and subsequently provide training to the legislators.

Legislators need to learn the impact their actions have on the citizens and appropriate training may re-enforce this responsibility. Each session, legislators manage to break the same laws they are responsible for creating. The local newspaper is continually advising the public of legislators' indiscretions. Training would force the legislator to remember their moral obligations.
With the proper training programs, there is a possibility that the newly elected and veteran legislators would conduct themselves in a more efficient and professional manner. This may ease the burden of the session and allow the legislators the time needed to enhance the legislative process.

There are problems associated with the implementation of legislative training. The major problems include funding and disruption to the legislators private jobs. However, a statutory training session would eliminate both of these problems. The funding would be provided by the Appropriation Committee during each session. The legislators would receive pay for the training period. Therefore, if the veterans choose not to participate, they would not receive the pay.

To obtain the most advantage from the training session, timing is critical. Training could be scheduled anytime during the year, however, there are two periods that would offer the most benefit: 1) in November, right after the elections or 2) just prior to the session. A November training session would be more costly but would have the advantage of dramatically reducing the number of frivolous
bills submitted by freshman legislators. Another advantage would be the absence of lobbyists during this period. A training program immediately prior to the session would cost the state less, as the legislators would already be in Helena. However, the benefit of the reduction in the submission of frivolous bills may not materialize, as most bills would be submitted prior to the completion of training. A major disadvantage of this time period is the presence of the lobbyists and their influence over the legislative process.

Attendance for all legislators should be mandatory if provided in statute. A penalty for failure to attend the training would need to be addressed if training is mandatory. Some options for a penalty might be a fine or forfeiture of legislative pay for a set period.

If the training is not mandatory by statute, it would be the responsibility of the leaders of each political party to persuade legislators to attend. Strong leadership and peer pressure would be relied on to make the training programs a success.
The training programs provided by professional teachers instead of veteran legislators, would help to insure attendance. A professional would have the time and resources to present an in-depth course in a number of diverse subjects. If Montana would implement this training program, the legislators would receive the much needed training and Montana would benefit.
APPENDIX A

QUESTION FOR THE LEGISLATORS

1. What did you personally find most difficult your first session?

2. What was your involvement with the legislative session before your election?

3. What training relative to the legislature did you receive prior to your election to the legislature? Was your educational background or work experience beneficial during this session?

4. What training did your receive after your election to the legislature?

5. If received training, did you find the training helpful? What did the training include?

6. Do you feel a training period prior to each session would help you be more prepared and productive as a legislature?

7. What do you feel would be valuable training topics?

8. Are there any other thoughts or information you would like to contribute on this issue?
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