

	Montana Operations Manual <i>Policy</i>	Category	Facilities/Security/Leases
		Effective Date	09/01/2013
		Last Revised	12/01/2013
Issuing Authority	Department of Administration Director's Office		
Conduct Policy for State Space and State Grounds in Helena			

I. Purpose

The purpose of this policy is to establish standards of conduct to protect state property and create a safe environment for state employees, legislators, and visitors throughout the Helena area.

II. Scope

This policy applies to all state-owned and state-leased space (referred to as "state space" in this policy) and state grounds in Helena in accordance with the Department of Administration's (DOA) responsibilities under [2-17-811](#), Montana Code Annotated (MCA).

This policy does not apply to Montana University System buildings or grounds in the Helena area. Questions concerning conduct policies for the University should be referred to the Commissioner of Higher Education's Office at 444-6570.

This policy supersedes all previous "Standards of Conduct" policies.

Questions regarding this policy should be directed to: DOA Director, (406) 444-2032 or doadirector@mt.gov.

III. General Procedures/Requirements

A. Capitol Hours: The Capitol is open to the public Monday through Friday 7:00 a.m. - 6:00 p.m. and Saturdays, Sundays, and most holidays from 9:00 a.m. - 3:00 p.m. The Capitol is closed on Thanksgiving, Christmas Day, and New Year's Day.

Special hours will apply during legislative sessions (January - April in odd-numbered years).

B. Weapons: A person may not possess a firearm, loaded or unloaded, concealed or open, or a weapon in state space or on state grounds except for

law enforcement officers or armored car service officers. Appeals of this policy must be directed to the Governor's Chief of Staff.

The term "weapon" means an instrument of offensive or defensive combat, or anything used, or designed to be used to kill or injure an individual. Weapons include but are not limited to concealed weapons mentioned in [45-8-316](#), MCA, such as a dirk, dagger, pistol, revolver, slingshot, sword cane, billy, knuckles made of any metal or hard substance, knife having a blade four inches long or longer, razor, not including a safety razor, or other weapon.

For purposes of this policy, "weapon" does not include Montana Historical Society artifacts.

- C. Non-Smoking Facilities:** Smoking is prohibited in state space and within a reasonable distance of a state-owned building door, window, or ventilation system, typically assumed to be 30 feet.
- D. Animals in State Buildings:** Only animals assisting people with disabilities under the control and supervision of the handler are allowed in state space in Helena unless authorized by the DOA's General Services Division (GSD) at (406)444-3060.
- E. Inappropriate Behavior:** Abusive, threatening, or disorderly behavior as defined in [45-8-101](#), MCA, is prohibited in state space or on state grounds.
- F. Solicitation of Business:** Individuals or entities interested in soliciting business in state space or on state grounds in Helena must obtain a permit from GSD by calling (406) 444-3060. Solicitation may only take place under conditions specified in the permit.
- G. Panhandling:** Panhandling is not permitted on state grounds or in state space.
- H. Meeting Rooms:** Except as noted under "Special Room Reservations," state building meeting rooms are not available for non-state purposes after 5:00 p.m. during the week, on weekends, or on state holidays, unless approved by GSD.
- I. Special Room Reservations:** The Legislative Services Division is responsible for scheduling rooms on the first, third, and fourth floors of the Capitol. Special restrictions may apply. Reservations can be made by calling the Legislative Services office at (406) 444-3064.

The Montana Historical Society (MHS) is responsible for scheduling the use of the Montana Veterans' and Pioneers' Memorial Building (MHS Museum).

Special restrictions may apply. Reservations may be made by calling (406) 444-1799.

- J. Camping:** Camping and sleeping overnight are prohibited in state space or on the state grounds in Helena.
- K. Alcohol:** Alcoholic beverages may not be served or consumed in state space or on state grounds unless served as part of an authorized function approved by the agency head and under the control of a valid liquor license holder.
- L. Identification:** State employees, legislators, volunteers, and contractors hired by the state are required to have their state-issued identification badge on their person while in state space.
- M. Items Subject to Search:** To enhance security and public safety, state security personnel and law enforcement may inspect packages, bags, backpacks, purses, briefcases, or other items reasonably suspected of concealing stolen items or any item that may be capable of injuring, damaging, or harming persons or property in state space or on state grounds.
- N.** Candles, open flames, flammable, or combustible materials or hazardous, corrosive, or toxic liquids or gasses that could cause damage or discomfort to people or damage public property are prohibited unless approved by GSD.

IV. Use of the Capitol Grounds and the Capitol Rotunda

- A. Permits:** Public events and rallies may be conducted in the Capitol Rotunda and on state grounds after obtaining a permit from GSD. GSD may impose appropriate conditions and restrictions on rallies for general safety purposes. Permits must be in the possession of the event organizer at all times during the event or rally.

To accommodate requests of other event organizers, GSD may limit the amount of time the Capitol grounds and the Rotunda may be scheduled.

The state reserves the right to cancel a scheduled event if the location is required for an official state function. In such cases, GSD will notify the contact person as soon as possible, and every effort will be made to reschedule the event.

The GSD office is located at 1310 East Lockey in Helena. GSD may be contacted at (406) 444-3060.

In addition, permits for noise, traffic control, and street closures must be obtained from the City of Helena by calling (406) 447-8000.

- B. Admission Fee Prohibited:** Aside from MHS events, admission fees may not be charged for events or activities held in state space or on state grounds. In addition, all areas must remain open to the public during permitted events.
- C. Cleaning:** The person or organization named in the use permit is required to clean the area used immediately following the conclusion of the event.
- D. Masks and Signs:** Masks and signs on sticks are prohibited inside of state space, unless approved by GSD.
- E. Ceremonial Use of Firearms:** Any person or organization desiring to use ceremonial firearms using blanks, such as 21-gun salutes or canons, must obtain prior approval from GSD and a permit from the City of Helena. Approval and permits may require notification of area residents.
- F. Indoor or Outdoor Displays:** Indoor displays of materials by a person or organization with a permit is limited to the Rotunda unless pre-approved by GSD. Displays may not be attached to any wall. Groups interested in hanging banners from the third floor railings surrounding the Rotunda must agree to have those displays hung by GSD as specified in their use permit. Outdoor display materials may not be displayed or attached to the exterior of the Capitol, state buildings, flag poles, light poles, trees, or any fixture.
- G. Disruptive Activities:** Activities or events may not interfere with the normal functions of state government or other approved events in state space or on state grounds.
- H. Noise:** Noise created by activities or events may not be disruptive to state government or surrounding neighborhoods. In addition, noise permits from the City of Helena are required and can be obtained by calling 447-8000. Approval and permits may require notification of area residents.
- I. Fire Exits:** Fire exits must remain open and unlocked at all times. Doors and hallways shall not be blocked.

V. Reimbursable Costs and Insurance

- A.** The use of any facility, at any time, may result in the need for additional janitorial or security services and will be specified in the GSD permit. Payment of overtime may be required. If additional services are necessary, pre-payment will be required. These services will be provided by state contractors.

- B.** Event organizers requiring extra services of other state personnel, such as GSD maintenance workers, will be required to pre-pay for these services, including any overtime costs.

Basic event services (setting up and taking down chairs, tables, podium, basic sound system, garbage removal, and hanging banners) are provided without charge.

- C.** Event organizers are responsible for any damages to state space or state grounds, including its contents, and shall reimburse the state for the total cost of any necessary repairs or replacements. Depending on the event, GSD may require a commercial general liability insurance policy from a licensed insurance company, for bodily injury, personal injury, and property damage, naming the state, its agents, officers, volunteers, and employees as additional insureds for liability arising out of activities performed by or on the organizer's behalf including the state's general supervision of the organizer and the premises owned, leased, occupied, or used. Specific levels of coverages will be determined by GSD.

VI. Enforcement of Policy Violations

Policy violations may result in disciplinary action, including but not limited to, suspension; termination; expulsion; and/or arrest and prosecution under 45-8-328, MCA, 45-6-203, MCA, Helena City Ordinance 5-1-32, or any other applicable law.

- VII. References:** This section contains content or links to supporting documents or sources.

[2-17-811](#), MCA. Custodial care of capitol buildings and grounds.

[45-8-328](#), MCA. Carrying concealed weapons in prohibited place -- penalty.

Agency MOUs:

[MOU FWP signed exception](#)

[MOU DNRC signed exception](#)

[MOU MHS signed exception](#)

[MOU SAO signed exception](#)

- VIII. Phone Contacts:**

Call 911 for emergencies

Call 444-9498 for non-emergency police assistance

Call 444-3060 for building concerns