



Highlights from the 68th Montana Legislature (2023-2024) Legislative Effectiveness Scores

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Executive Summary

The Center for Effective Lawmaking (CEL) is pleased to announce the release of the State Legislative Effectiveness Scores (SLES) for the recently completed 68th Montana Legislature legislative session. This report offers highlights from our initial analyses of these scores, including:

- We identify the top-10 most effective lawmakers in each party in the State House and State Senate, including many who continued their patterns of highly effective lawmaking from the previous legislative sessions.
- We identify those lawmakers with the longest streaks of being in our prestigious “Exceeds Expectations” category, as well as first-term lawmakers in this category.
- We find that, consistent with our published research, that there is an overall lawmaking benefit from being in the majority party, which likely reflects the structural advantages of majority status as well as potentially differing legislative strategies between the parties.
- We find that most of the highest scorers were returning legislators, but several newcomers also emerged as top performers.

Introduction and Methodology

The State Legislative Effectiveness Scores discussed here are based on the combination of fifteen metrics capturing the bills that each member of each state legislature sponsors, how far they move through the lawmaking process, and how substantial their policy proposals are. The scores are normalized to an average value of 1.0 in both the State House and the State Senate in each legislative session. More on our [methodology](#) and [scores](#) can be found on our website.

For each member of the State House and State Senate, we also identify a Benchmark Score, based on the average lawmaking effectiveness of legislators who share that legislator’s majority- or minority-party status, level of seniority, and chair position on a committee. Controlling for these considerations is important in order to describe legislators on a more level playing field. For example, in the 68th Montana State House, minority-party legislators had an average SLES of 0.50, compared to 1.22 for majority-party members, while committee chairs had an average SLES of

1.71. In the State Senate, those averages were 0.45 in the minority party, 1.26 in the majority party, and 1.55 among committee chairs.

We then label each lawmaker as “Exceeding Expectations” for those outperforming their benchmark scores by 50% or more, “Below Expectations” for those below 50% of their benchmark, and “Meeting Expectations” for all other legislators.

Finally, within each party, we rank each member according to their SLES. This ranking is used to generate the Top Ten lists highlighted in the tables below. Given the substantial lawmaking advantage that follows from being in the majority party, ranking the entire Montana State Legislature together would be inappropriate, but these comparisons within each party are quite informative.

Highly Effective Republican Lawmakers in the 68th Montana House of Representatives

The following table identifies the top ten highest-scorers in the 68th House of Representatives among majority-party Republicans. Despite the power of committee chairs, only half of the top ten most effective lawmakers in the House held such important positions.

Topping our list is State Rep. Bill Mercer of District 46 (Central Billings), with a State Legislative Effectiveness Score of 4.10, despite not holding a committee chair in his most recent term. Rep. Mercer’s ranking as a highly effective lawmaker continues a pattern of legislative engagement that he established in the previous (67th) State Legislature, where he was in our “Exceeds Expectations” grouping among majority party (Republican) lawmakers. He was first elected to the Montana House of Representatives in 2018 and won reelection in 2020 and 2022. He previously served as the Assistant U.S. Attorney for the State of Montana from 1994 to 2001, and in 2001 was nominated by President George W. Bush to serve as the U.S. Attorney for the District of Montana. He served as principal deputy attorney general in the U.S. Department of Justice from 2005 to 2006 and later served as the acting U.S. Associate Attorney General starting in 2006.

Top Ten List—House Republicans (68th Legislative Session)

	<u>Name</u>	<u>SLES</u>	<u>Chair Position</u>
1.	Bill Mercer (District 46)	4.10	None
2.	Mike Hopkins (District 92)	2.98	None
3.	Joshua Kassmier (District 27)	2.98	Committee Chair
4.	Denley Loge (District 14)	2.86	Committee Chair
5.	Tony Brockman (District 9)	2.71	None
6.	Edward Buttrey (District 21)	2.65	Committee Chair
7.	Jennifer Carlson (District 69)	2.57	Committee Chair
8.	David Bedey (District 86)	2.40	None
9.	Steven Galloway (District 24)	2.38	None
10.	Ross Fitzgerald (District 17)	2.32	Committee Chair

Rep. Bill Mercer, Rep. Mike Hopkins, Rep. Edward Buttrey, Rep. David Bedey, Rep. Joshua Kassmier, and Rep. Denley Loge, were also ranked among the top-10 most effective Republican lawmakers of the 67th Legislative Session.

Highly Effective Democratic Lawmakers in the 68th State House

The following table identifies the ten highest-scoring Democrats in the 68th State House.

Top Ten List—House Democrats (68th Legislative Session)

	<u>Name</u>	<u>SLES</u>	<u>Seniority</u>
1.	Alice Buckley (District 63)	1.48	2
2.	Ed Stafman (District 62)	1.28	2
3.	Dave Fern (District 5)	1.11	4
4.	Jonathan Windy Boy (District 32)	1.10	4
5.	Laura Smith (District 79)	0.98	1
6.	Derek Harvey (District 74)	0.91	3
7.	Jonathan Karlen (District 96)	0.84	1
8.	Jill Cohenour (District 84)	0.72	1
9.	Paul Tuss (District 28)	0.64	1
10.	Katie Sullivan (District 89)	0.60	3

At the top of the list is State Rep. Alice Buckley of District 63 (West Bozeman, Four Corners) with a score of 1.48. She is also in our “Exceeds Expectations” category for outperforming her benchmark score by 50% for two consecutive legislative sessions. She introduced 12 bills and 8 of them became law. Before being elected to office in 2020, she graduated from Yale University in 2015 and worked as a program manager at a non-profit organization and later as an associate director of a consultancy firm in Bozeman. Rep. Alice Buckley, Rep. Derek Harvey, and Rep. Jonathan Windy Boy were also among the top-10 most effective Democratic lawmakers in the House during the 67th Legislative Session.

Highly Effective Republican Lawmakers in the 68th State Senate

Top Ten List—Senate Republicans (68th Legislative Session)

	<u>Name</u>	<u>SLES</u>	<u>Chair Position</u>
1.	Greg Hertz (District 6)	5.68	Committee Chair
2.	Steve Fitzpatrick (District 10)	4.03	Committee Chair
3.	Dennis Lenz (District 27)	2.39	None
4.	Barry Usher (District 20)	2.24	None
5.	Daniel Zolnikov (District 22)	2.21	None
6.	Jeremy Trebas (District 13)	2.03	None

7.	Keith Regier (District 3)	1.91	Committee Chair
8.	Kenneth Bogner (District 19)	1.86	None
9.	Jason Small (District 21)	1.80	Committee Chair
10.	Mike Cuffe (District 1)	1.64	Committee Chair

Turning to the Republican Senators in the 68th Legislative Session, State Sen. Greg Hertz from District 6 (Flathead Valley) was at the top of the list with a SLES score of 5.68. He introduced 59 bills and 33 became law. He was first elected to the State House in 2012 where he served until 2019. During his time in the House he served as Majority Whip from 2015 to 2016, and he was elected to the Senate in 2021.

We find that there is some overlap between the highest performers on the top-10 list for the 68th Legislative Session and the preceding top-10 list for Republican lawmakers in the 67th Legislative Session, with three State Senators, Sen. Steve Fitzpatrick, Sen Greg Hertz, and Sen. Keith Regier, appearing in both lists. In the 68th General Assembly, we find that half of the top-10 State Senators also held committee chairs.

Highly Effective Democrat Lawmakers in the 68th State Senate

Top Five List—Senate Democrats (68th Legislative Session)

	<u>Name</u>	<u>SLES</u>	<u>Seniority</u>
1.	Shane Morigeau (District 48)	1.02	2
2.	Willis Curdy (District 49)	0.93	1
3.	Ryan Lynch (District 37)	0.73	2
4.	Edith McClafferty (District 38)	0.69	4
5.	Shannon O'Brien (District 46)	0.62	2

Given the small number of Democrats in the Montana State Senate, we focus our attention here on the top five most effective Democratic Senators. Sen. Shane Morigeau of District 48 (Billings area) was ranked first in terms of his SLES score, with a score of 1.02. This is the first time that he has appeared among the top-5 most effective Democratic lawmakers in the State Senate. Overall, he introduced 12 bills, all of which received action in committee, and 8 of which received action beyond committee and passed the Senate, and 7 of those bills became law.

Lawmakers with Long-Standing Patterns of Exceeding Expectations

Those who significantly exceed their benchmark score (which is calculated based on their seniority and status as a majority party member and/or committee chairperson) are identified as being in our “Exceeds Expectations” category. The lists below identify the Representative and Senator with the longest active streaks of exceeding expectations in consecutive sessions continuing through (and including) the 68th Legislative Session.

**State Representatives with Longest Streak of “Exceeding Expectations”
(through the 68th Legislative Session)**

	<u>Name</u>	<u>Streak</u>	<u>SLES (in 68th)</u>	<u>Seniority</u>
1.	Rep. Edward Buttrey (R-21)	3 Legislative Sessions	2.65	3 Legislative Sessions

State Representative Edward Buttrey (R) of District 21 (Northwest Great Falls, Black Eagle), had the longest streak of “Exceeding Expectations,” three Legislative Sessions, with a SLES score in the most recent Legislative Session of 2.65. Rep. Buttrey was elected to the Montana State House in 2018, and formerly to the Montana Senate in 2010. During the 2023-2024 Legislative Session he introduced 21 bills, 20 of which received action in committee, 19 of which received action beyond committee, 17 of which passed the House, and 15 of his sponsored bills became law.

**State Senators with Longest Streak of “Exceeding Expectations”
(through the 68th Legislative Session)**

	<u>Name</u>	<u>Streak</u>	<u>SLES (in 68th)</u>	<u>Seniority</u>
1.	Sen. Steve Fitzpatrick (R-10)	4 Legislative Sessions	4.02	4 Legislative Sessions

Turning to the State Senate, Senator Steve Fitzpatrick (R) of District 10 (Great Falls) exceeded expectations for 4 consecutive Legislative Sessions. A lawyer by profession, he served in the State House from 2011 to 2017 and was elected to the State Senate in 2017. During the 68th Legislative Session he introduced 41 bills, 39 of which received action in committee, 36 of which received action beyond committee, 34 of which passed the Senate, and 30 of his sponsored bills became law.

High-Performing Freshmen

One way to identify future legislative leaders is to identify freshman Representatives and Senators who earned an “Exceeds Expectations” rating in their first term. For freshman legislators, their initial scores are compared to benchmarks for newcomers—so when a freshman outperforms their cohort, it can reveal strong political acumen, the ability to navigate legislative procedures quickly, and skill in coalition-building or policy entrepreneurship. These traits often correlate with future leadership roles. Our research on the U.S. Congress suggests that legislators who perform well early on are more likely to be selected for committee chairs or leadership positions, and influence major legislation in subsequent terms. Hence, identifying high-performing freshmen can offer early signals of who might rise through the ranks.

Freshmen Representatives “Exceeding Expectations” (68th Legislative Session)

	<u>Name</u>	<u>SLES (in 68th)</u>
1.	Rep. Tony Brockman (R-9)	2.71
2.	Rep. Paul Green (R-41)	1.64
3.	Rep. Greg Oblander (R-40)	1.41
4.	Rep. Laura Smith (D-79)	0.98
5.	Rep. Jonathan Karlen (D-96)	0.84
6.	Rep. Paul Tuss (D-28)	0.64

The State Representative with the highest SLES score during his freshman term was Rep. Tony Brockman from District 9 (Flathead Valley) with a score of 2.71, which also placed him as the fifth highest scoring Republican Representative in the Chamber, overall. Rep. Greg Oblander, Rep. Laura Smith, Rep. Jonathan Karlen, and Rep. Paul Tuss were all reelected to the 69th Legislative Session, and Rep. Paul Green went on to become the director of the Montana Department of Commerce.

Freshmen Senators “Exceeding Expectations” (68th Legislative Session)

	<u>Name</u>	<u>SLES (in 68th)</u>
1.	Sen. Dennis Lenz (R-27)	2.39
2.	Sen. Barry Usher (R-20)	2.24
3.	Sen. Daniel Zolnikov (R-22)	2.21
4.	Sen. Jeremy Trebas (R-13)	2.03
5.	Sen. Willis Curdy (D-49)	0.93

The top-performing Republican freshman was State Senator Dennis Lenz (R) from District 27 (Havre), with a SLES score of 2.39—ranking him third overall among Republican Senators in the 68th Legislative Session. The top freshman Democrat, State Senator Willis Curdy, earned a score of 0.93, placing him second among Democratic Senators in the 68th Legislative Session.

Conclusion

This report showcases legislators who demonstrated the dedication and skill required to advance meaningful policy on behalf of their constituents. Many of the highest scorers were returning legislators who have consistently delivered strong legislative performance across multiple sessions. In both chambers and across party lines, numerous lawmakers maintained their momentum in the “Exceeds Expectations” category, while several newcomers also emerged as top performers. While previous research highlights a positive correlation between holding a committee chair position and legislative effectiveness, only about half of this session’s top performers held such roles. This suggests that other factors also contribute significantly to success. A clear majority-party advantage is evident, with Republican lawmakers earning higher scores on average

than their Democratic colleagues. This likely reflects the structural advantages of majority status as well as potentially differing legislative strategies between the parties.