

MAINE STATE LEGISLATURE

The following document is provided by the
LAW AND LEGISLATIVE DIGITAL LIBRARY
at the Maine State Law and Legislative Reference Library
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied
(searchable text may contain some errors and/or omissions)



MAINE STATE LEGISLATURE

Augusta, Maine 04333

**124th Legislature
Legislative Council**

Organization Meeting

**December 4, 2008
3:00 P.M.**

AGENDA

<u>Page</u>	<u>Item</u>	<u>Action</u>
	CALL TO ORDER	
	ROLL CALL	
	ELECTION OF OFFICERS FOR THE LEGISLATIVE COUNCIL OF THE 124TH LEGISLATURE	Election
1	ADOPTION OF LEGISLATIVE COUNCIL RULES OF PROCEDURE FOR 124th LEGISLATURE Proposed Rules of Procedure for Legislative Council (attached)	Adoption
4	SUMMARY OF DECEMBER 2, 2008 MEETING OF LEGISLATIVE COUNCIL	Acceptance
	REPORTS FROM EXECUTIVE DIRECTOR AND COUNCIL STAFF OFFICES Executive Director's Report	
	OLD BUSINESS (No Old Business)	

NEW BUSINESS

7	Item #1: Summary of Legislative Council Authority and Duties	Information
24	Item # 2 Establishment of Initial Salary of Constitutional Officer Attorney General	Decision
26	Item #3: Policy on Processing Closely Related Legislator Bill Requests	Decision
28	Item #4: Request by Maine Indian Tribal-State Commission for Orientation Program for 124th Legislature to Address Tribal-State Relations	Discussion
30	Item #5: Final Report of the Criminal Justice & Public Safety Committee Study of Sex Offender Registration Laws	Acceptance
31	Item #6: Final Report of the Commission to Study the Protection of Farms And Farmland	Acceptance
32	Item #7: Legislative Council Decision that Maine Host the 2010 CSG/ERC Annual Meeting in Portland	Information

ANNOUNCEMENTS AND REMARKS

ADJOURNMENT

**MAINE LEGISLATIVE COUNCIL
124th LEGISLATURE**

RULES OF PROCEDURE

December 4, 2008

1. **Organizational Meeting:** The President of the Senate shall call the biennial organizational meeting of the Legislative Council into session in December following the convening of the new Legislature and shall preside until the election of the chair of the Legislative Council.
2. **Chair:** At its organizational meeting, the Legislative Council shall elect a chair, who shall preside at all meetings of the council when he or she is present. The position of Legislative Council chair must alternate in succeeding biennial sessions between a member from the Senate and a member from the House of Representatives. Therefore, for the 124th Legislature, the chair must be a Representative.
3. **Vice Chair:** The Legislative Council shall elect a vice-chair who shall serve as chair in the absence of the chair. The vice-chair may not be a member of the same chamber of the Legislature as that of the chair.
4. **Quorum:** The Legislative Council may conduct business only when a quorum of members is present, which consists of six (6) members. Any action of the council requires the affirmative votes of not less than 6 members.
5. **Meetings:** The meeting schedule for the Legislative Council is determined by the call of the chair for the 124th Legislature or by a majority vote of the council. The council shall meet at least once per month, on a regularized schedule.
6. **Meeting Room and Location:** The official meeting location of the Legislative Council is the Legislative Council Chamber, Room 334, in the State House, and the chair shall convene all meetings there unless an alternative location is specified in the call of the meeting. Meetings of the Legislative Council or its committees take precedence over all other functions in the Legislative Council Chamber. The Legislative Council Chamber may not be used for press conferences or other media events.

7. **Meeting Notice:** The chair shall issue written calls for all regular and special meetings of the Legislative Council. The call must give the date, time, and place of the meeting and such other information as the chair directs.
8. **Public Meetings:** All meetings of the Legislative Council are public meetings except for executive sessions; the council may not take any final action in an executive session.
9. **Council Committees:** The chair shall make all appointments to committees established by the Legislative Council. Each committee must include at least three council members and must have representation from each of the two major political parties. At a minimum, the council shall establish Personnel and State House Facilities committees.
10. **Approval of Step Increases:** All step increases that require a vote of the Legislative Council during the 124th Legislature are approved for the term of this council if, after review, a majority of the Personnel Committee approves the step increases.
11. **Council Agenda and Records:** The Executive Director of the Legislative Council shall prepare, in consultation with the chair, meeting notices and a council agenda in advance of each meeting. The executive director shall also maintain an accurate, permanent public record of all meetings, proceedings and votes of the Legislative Council.
12. **Order of Business:** The regular order of business of the Legislative Council is:
 1. Call to Order
 2. Roll Call
 3. Summary of Previous Council Meeting
 4. Executive Director's Report
 5. Reports from Council Committees
 6. Old Business
 7. New Business
 8. Announcements and Remarks
 9. Adjournment

Items not on the Legislative Council's agenda may be considered only by leave of the council's presiding officer or by a majority vote of the Legislative Council.

13. **Circulation of Ballots:** The chair and the vice-chair, jointly, may authorize a Legislative Council member to circulate a ballot for Legislative Council action when they determine that the matter to be voted on must be decided before the next regular meeting of the council. The executive director shall prepare all ballots authorized for circulation among council members and shall certify votes taken by ballot. A reasonable effort shall be made to provide each member an opportunity to vote on the

ballot. Actions taken by Legislative Council ballot must be reported at the next or following regular meeting of the council.

14. **Roll Call Votes:** Votes requiring a roll-call shall be made by the executive director calling the roll, by a showing of hands or by electronic tabulation as long as the matter being voted on, how each member voted and the results of the vote are accurately determined and recorded. The executive director shall announce the vote following a roll-call. All decisions of the Legislative Council regarding the introduction of bills or other measures must be by a roll-call vote.
15. **Statements to News Organizations:** Only the chair of the Legislative Council, executive director or persons specifically authorized by the chair may make official statements to news organizations or to the public on behalf of or representing the Legislative Council.
16. **Rules of Order:** The Legislative Council's presiding officer shall conduct the proceedings of the council in accordance with Robert's Rules of Order except as otherwise specified in the council's own rules or by law.
17. **Amendments to Rules:** The Legislative Council may amend these rules, with the exception of Rules 2 and 4, upon a two-thirds vote of the Council members present and voting, provided that a vote to amend is by at least six affirmative votes. Rules 2 and 4 may not be amended during the term of the 124th Legislative Council unless otherwise changed by law.
18. **Decisions Affecting Capitol Park:** Any action affecting Capitol Park, be it a temporary or permanent alteration or change in use, must be approved by a majority of the Council, consistent with these rules and 3 MRSA §162 (17). Prior to a final decision on any proposal affecting Capitol Park, the Council or its executive director shall consult with the State House and Capitol Park Commission.

Adopted by the Legislative Council of the 124th Maine Legislature on December 4, 2008 at Augusta, Maine.

By:

David E. Boulter, Executive Director of the Legislative Council



SEN. BETH EDMONDS
CHAIR

REP. GLENN A. CUMMINGS
VICE-CHAIR

123RD MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

SEN. ELIZABETH H. MITCHELL
SEN. CAROL WESTON
SEN. JOHN L. MARTIN
SEN. RICHARD W. ROSEN
REP. HANNAH M. PINGREE
REP. JOSHUA A. TARDY
REP. SEAN FAIRCLOTH
REP. ROBERT H. CROSTHWAITE

MEETING SUMMARY
December 2, 2008

CALL TO ORDER

Legislative Council Chair, President Edmonds called the Legislative Council meeting to order at 12:38 P.M. in the Legislative Council Chambers.

ROLL CALL

Senators: President Beth Edmonds, Sen. Richard Rosen, Sen. John Martin,
Sen. Carol Weston

Absent: Sen. Elizabeth Mitchell

Representatives: Speaker Glenn Cummings, Rep. Hannah Pingree, Rep. Robert
Crosthwaite, Rep. Joshua Tardy (arrived after the start of the meeting)

Absent: Rep. Sean Faircloth

Legislative Officers: Joy O'Brien, Secretary of the Senate
Millicent MacFarland, Clerk of the House
Michael Cote, Assistant Clerk of the House
David E. Boulter, Executive Director of the Legislative Council
Rose Breton, Legislative Finance Director
Debra Olken, Human Resources Director
Patrick Norton, Director, Office of Policy & Legal Analysis
Grant Pennoyer, Director, Office of Fiscal and Program Review
Margaret Matheson, Revisor of Statutes
Paul Mayotte, Director, Legislative Information Services
John Barden, Director, Law and Legislative Reference Library

Legislative Council Chair, President Edmonds convened the meeting at 12:38 P.M. with a quorum of members present.

SUMMARY OF NOVEMBER 19, 2008 MEETING OF LEGISLATIVE COUNCIL

Motion: That the Meeting Summary of November 19, 2008 be accepted and placed on file. Motion by Representative Crosthwaite. Second by Senator Martin. **Motion passed unanimous (7-0).** [Representative Faircloth, Representative Tardy and Senator Mitchell absent]

REPORTS FROM EXECUTIVE DIRECTOR AND COUNCIL OFFICES

Executive Director's Report

(No Report)

Fiscal Report

(No Report)

Information Technology Report

(No Report)

Status of Legislative Studies

(No Report)

REPORTS FROM COUNCIL COMMITTEES

1. Personnel Committee

Personnel Committee Chair Cummings reported that the Personnel Committee met earlier in the day to finalize its recommendations on revisions to the Personnel Policies and Guidelines for Employees of the Secretary of the Senate and the Clerk of the House of Representatives. The committee voted to recommend approval of the revisions. Speaker Cummings made the following motion:

Motion: That the Legislative Council approve the Personnel Policies and Guidelines for Employees of the Secretary of the Senate and the Clerk of the House of Representatives as revised and recommended by the Personnel Committee. Motion by Speaker Cummings. Second by Senator Martin. **Motion passed unanimous (8-0)** [Representative Faircloth and Senator Mitchell absent]

2. State House Facilities Committee

(No Report)

3. Budget Subcommittee

(No Report)

4. Subcommittee to Administer Technology
(No Report)

OLD BUSINESS
(No Old Business)

NEW BUSINESS
(No New Business)

ANNOUNCEMENTS AND REMARKS

Legislative Council Chair President Beth Edmonds and Vice-chair Speaker Glenn Cummings expressed their appreciation to the Legislative Council members for their work and support during the past two years. A cake was served.

ADJOURNMENT

Motion to adjourn by Representative Tardy. Second by Senator Weston. **Motion passed, unanimous (8-0).** [Representative Faircloth and Senator Mitchell absent]

The Legislative Council meeting was adjourned at 12:42 P.M.

G:\Council\123rd Legislative Council\Meeting Summaries\October 2008\MEETING SUMMARY for 2008-10-22-2008.doc 10/30/2008 2:32 PM

Maine Revised Statute Title 3, Chapter 7: LEGISLATIVE COUNCIL
Table of Contents

Subchapter 1. GENERAL PROVISIONS.....	3
Section 161. LEGISLATIVE COUNCIL.....	3
Section 162. AUTHORITY.....	3
Section 162-A. SALARIES SUBJECT TO ADJUSTMENT BY LEGISLATIVE COUNCIL.....	7
Section 162-B. SALARIES OF CONSTITUTIONAL OFFICERS.....	8
Section 163. EXECUTIVE DIRECTOR OF THE LEGISLATIVE COUNCIL; DUTIES.....	9
Section 163-A. LEGISLATIVE STAFF SERVICES.....	10
Section 164. DIRECTOR OF LEGISLATIVE RESEARCH; FUNCTIONS AND DUTIES (REPEALED).....	12
Section 165. JOINT COMMITTEES, AUTHORITY.....	12
Section 166. DIRECTOR OF LEGISLATIVE ASSISTANTS (REPEALED).....	13
Section 167. LEGISLATIVE FINANCE OFFICER; DUTIES (REPEALED).....	13
Section 168. STAFF ASSISTANTS TO LEGISLATIVE LEADERSHIP.....	14
Section 168-A. LEGISLATIVE YOUTH ADVISORY COUNCIL.....	14
Section 169. CONSTITUENT SERVICE OFFICER; FUNCTIONS AND DUTIES (REPEALED).....	16
Section 170. PARTISAN EMPLOYEES; RESTRICTED ACTIVITIES.....	17
Section 170-A. USE OF LEGISLATIVE EQUIPMENT AND RESOURCES.....	17
Subchapter 2. LAW AND LEGISLATIVE REFERENCE LIBRARY.....	17
Section 171. DECLARATION OF POLICY.....	17
Section 172. STATE LAW LIBRARIAN (REPEALED).....	17
Section 172-A. STATE LAW LIBRARY; ADMINISTRATION.....	17
Section 173. STATE LAW LIBRARY; SERVICES.....	17
Section 174. ADMINISTRATIVE PROVISIONS (REPEALED).....	18

Subchapter 1: GENERAL PROVISIONS

3 §161. LEGISLATIVE COUNCIL

There is established a Legislative Council to consist of 10 members, 5 of whom shall be members of the Senate and 5 of whom shall be members of the House of Representatives. They shall be the President of the Senate, the Speaker of the House of Representatives, the Floor Leaders and Assistants of the 2 major parties. Membership on the Legislative Council shall be by virtue of holding the above offices, and shall be during the term of the Legislature in which such offices are held. The Legislative Council shall elect a chairman from within its own membership. [1973, c. 590, §3 (RPR).]

The Legislative Council shall exercise such powers and duties as may be delegated by law or by rule of the Legislature. Any action by the Legislative Council shall require the affirmative votes of a majority of the members. [1973, c. 590, §3 (RPR).]

The Legislative Council shall meet at least once monthly when the Legislature is not in session and at such other times as the membership or the chairman deems necessary. [1979, c. 127, §5 (RPR).]

SECTION HISTORY

1965, c. 425, §§2-B (AMD). 1973, c. 590, §3 (RPR). 1979, c. 127, §5 (AMD).

3 §162. AUTHORITY

The Legislative Council shall have the authority: [1973, c. 590, §4 (RPR).]

1. Legislative budgets. To prepare and approve all legislative budgets;

[1973, c. 590, §4 (RPR) .]

1-A. Budget requests. To authorize the Executive Director of the Legislative Council to prepare and submit a tentative consolidated legislative budget request and other budget requests necessary for the operation of the legislative branch and other additional information, as requested, directly to the State Budget Officer on or before September 1st of the even-numbered years prior to review by the Legislative Council. The Legislative Council shall review the tentative budget submission developed by the executive director, altering, revising, increasing or decreasing the items as may be determined necessary. Upon final approval of the full legislative budget request, the Legislative Council shall submit a report to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs outlining any differences from the tentative legislative budget submission;

[1997, c. 24, Pt. FF, §1 (NEW) .]

1-B. Office of Program Evaluation and Government Accountability budget. To present the budget request of the Office of Program Evaluation and Government Accountability to the State Budget Officer as provided in Title 5, section 1665. If the budget presented pursuant to subsection 1-A differs from the budget request submitted by the Office of Program Evaluation and Government Accountability pursuant to this subsection, the Legislative Council shall simultaneously submit a report to that office and to the State Budget Officer explaining why the Legislative Council's budget request differs from the budget request of the Office of Program Evaluation and Government Accountability.

[2001, c. 702, §1 (NEW) .]

2. Legislative employee salary and benefit schedules. To establish salary schedules for all employees of legislative agencies, departments and offices, except as otherwise provided by law, to develop relatively uniform salary schedules for House and Senate employees and officers and, notwithstanding any other

provision of law, to establish benefit schedules for legislative employees. Every publication that states the salary of an employee or a position must also include a statement of the dollar value of the fringe benefit package provided;

[1995, c. 37, §1 (AMD) .]

3. Joint committees. When the Legislature is not in session, to assign bills, resolves and studies for consideration by the joint standing committees and joint select committees of the Legislature, to request reports, studies and legislation from said joint standing committees and to convene meetings of said joint standing committees and joint select committees and to exercise supervision over them;

[1973, c. 590, §4 (RPR) .]

4. Oaths, subpoenas and depositions. To administer oaths, issue subpoenas, compel the attendance of witnesses and the production of any papers, books, accounts, documents and testimony, and to cause the deposition of witnesses, whether residing within or without the State to be taken in the manner prescribed by law for taking depositions in civil actions in the Superior Court. In case of disobedience on the part of any person to comply with any subpoena issued in behalf of a committee, or on the refusal of any witness to testify to any matters regarding which he may be lawfully interrogated, it shall be the duty of the Superior Court of any county, on application of a member of a committee, to compel obedience by proceedings for contempt as in the case of disobedience of the requirements of a subpoena issued from such court or a refusal to testify therein. Each witness, other than a state officer or employee, shall receive for his attendance the fees and mileage provided for witnesses in civil cases in courts of record, which shall be audited and paid upon the presentation of proper vouchers sworn to by such witness and approved by the chairman of the council;

[1973, c. 590, §4 (RPR) .]

5. Legislative improvements. To assess ways and means to improve the legislative operation and to make improvements in the legislative organization, procedures, facilities and working conditions, and to make periodic reports to the Legislature concerning its findings. Changes in the organization of the legislative staff offices shall require the approval of two-thirds of the membership of the Legislative Council before they may take effect;

[1985, c. 501, Pt. B, §1 (AMD) .]

6. Appointment of directors and officers. To appoint an Executive Director of the Legislative Council, a State Law Librarian and such other office directors as the council deems necessary. Each director shall be chosen without reference to party affiliations and solely on the grounds of fitness to perform the duties of his office; each to be appointed for a term of 3 years from the date of his appointment. Reappointment shall be based on performance in the office and shall be considered in accordance with policies and procedures established by the Legislative Council;

[1985, c. 501, Pt. B, §2 (AMD) .]

6-A. Transition. Any person serving as Legislative Administrative Director, Director or Assistant Director of Legislative Research, Legislative Finance Officer or Assistant Legislative Finance Officer or Director or Assistant Director of Legislative Assistants, on September 19, 1985 may continue to so serve until the expiration of the term for which that person was appointed, unless that person resigns or vacates office before September 19, 1985;

[1997, c. 2, §4 (COR) .]

7. Legislative agency operating policy. To establish operating policies for each legislative agency and office;

[1973, c. 590, §4 (RPR) .]

8. Oversight of legislative appropriations and accounts. To oversee the appropriations and other financial accounts, including position control, of the Legislature and of all legislative agencies, departments and offices and to comply with provisions of Title 5, Part 4 determined by the Legislative Council as relevant and applicable to the legislative branch and necessary for maintaining proper accounting controls and reporting. Appropriations for carrying out the purposes of this chapter must be made annually by the Legislature. All appropriations or allocations by the Legislature, including appropriations or allocations for specific studies to be carried out by the joint standing committees or joint select committees, may not lapse but must be carried forward and expended for the purpose for which the appropriation or allocation was made. The balance of any appropriation or allocation for such studies that is not fully expended must be refunded to the Legislature;

[2005, c. 12, Pt. LL, §1 (AMD) .]

8-A. Sale of publications. If the Legislative Council determines it advisable for the effective dissemination of statutory information or other information of general interest to the public, to fix the price, sell and deliver publications and materials produced by legislative agencies;

[1991, c. 1, (NEW) .]

9.

[1975, c. 770, §4 (RP) .]

10. Intergovernmental, interstate and interlegislative organizations. To coordinate and oversee intergovernmental relations programs on behalf of the Legislature, and to recommend to the Legislature participation by the Legislature and its members in interstate and inter-legislative organizations; and to apply for, receive and administer all grants and appropriations for these purposes;

[1973, c. 590, §4 (RPR) .]

11. Legislative equipment and supplies. To provide necessary furniture, stationery and other supplies and equipment for the use of the members, committees, agencies and offices of the Legislature;

[1973, c. 590, §4 (RPR) .]

12-A. Reserve Fund for State House Preservation and Maintenance. To administer the Reserve Fund for State House Preservation and Maintenance, established and maintained as provided in this subsection. The State Controller at the close of each fiscal year and at the request of the Legislative Council shall transfer from unexpended balances of General Fund appropriations to the Legislature to the Reserve Fund for State House Preservation and Maintenance available amounts up to \$250,000 a year until a maximum of \$1,500,000 is achieved. The State Controller is further authorized to transfer from the Reserve Fund for State House Preservation and Maintenance to the Blaine House Renovations and Repairs Fund the amounts recommended by the Legislative Council. The Reserve Fund for State House Preservation and Maintenance may also receive and accept allocations, appropriations, grants and contributions of money to be held, used or applied to carry out this subsection, subject to the conditions upon which these allocations, appropriations, grants and contributions are made. Expenditures from the Reserve Fund for State House Preservation and Maintenance are subject to legislative allocation, may be made only for major repairs and

renovations to the State House, must be reviewed and recommended by the State House and Capitol Park Commission and must receive a majority vote of the Legislative Council. Funds allocated or appropriated to the Reserve Fund for State House Preservation and Maintenance may not lapse but must be carried forward;

[2001, c. 358, Pt. E, §1 (AMD) .]

13. Transfers within the legislative appropriation. To approve any transfers within the legislative appropriation;

[1975, c. 770, §5 (RPR) .]

14. Council procedures. To establish published rules of procedure for the conduct of the business of the council;

[1973, c. 590, §4 (RPR) .]

15. Other duties and responsibilities. To perform such other duties and responsibilities as may be assigned to the council from time to time by the 2 Houses;

[1989, c. 410, §2 (AMD) .]

16. Funds from State, Federal Government and private sources. To accept, use, expend and dispose on behalf of the State funds, equipment, supplies and materials from any agency of the United States, from any private foundation and from any other private source;

[1991, c. 622, Pt. L, §1 (AMD) .]

16-A. Intellectual property. To use, manage or administer on behalf of the Legislature any copyright held by the Legislature or license to use copyrighted materials and to manage the copying, use and dissemination of copies of copyrighted materials in which the Legislature holds the copyright or a license;

[1999, c. 1, §2 (NEW) .]

17. Approve plans to preserve and develop the State House and the immediate grounds. To approve architectural, aesthetic and decorative alterations to the State House. The Legislative Council also has authority to preserve and develop the aesthetic and historical integrity of the State House and the immediate grounds. The exercise of this authority with respect to Capitol Park must be consistent with the plan for Capitol Park developed by the Olmsted Brothers firm in 1920 as revised by the Pressley firm in 1990. The Legislative Council has the power to enter into contracts and other powers necessary to implement this subsection and chapter 31;

[2001, c. 468, §1 (AMD) .]

18. Out-of-state travel report. To submit to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs a quarterly report on out-of-state travel activity of the Legislature. The report must be submitted within 15 days after the end of each quarter and must include, for each individual who has been authorized to travel, the destination, purpose and cost by funding source of each trip; and

[1997, c. 43, §2 (AMD) .]

19. Legislative information available through the Internet. To make the following information available through the Internet: legislative documents, committee hearing schedules, work session schedules, status of legislation, voting records of Legislators, the laws of Maine, study reports and reports of other study groups established by the Legislature and any other information designated by the Legislative Council.

[1997, c. 43, §3 (NEW) .]

SECTION HISTORY

P&SL 1973, c. 220, §3 (AMD). 1973, c. 590, §4 (RPR). 1975, c. 657, (AMD). 1975, c. 770, §§3-5 (AMD). 1979, c. 541, §§A7,A8 (AMD). 1981, c. 702, §R (AMD). 1983, c. 2, §1 (AMD). 1983, c. 584, (AMD). 1983, c. 824, §V (AMD). 1985, c. 501, §§B1-3 (AMD). 1989, c. 410, §§1-4 (AMD). 1991, c. 1, (AMD). 1991, c. 622, §§L1-3 (AMD). 1993, c. 415, §J1 (AMD). 1995, c. 37, §1 (AMD). 1997, c. 24, §§FF1,2 (AMD). 1997, c. 43, §§1-3 (AMD). 1997, c. 671, §1 (AMD). RR 1997, c. 2, §4 (COR). 1999, c. 1, §2 (AMD). 2001, c. 358, §E1 (AMD). 2001, c. 468, §1 (AMD). 2001, c. 702, §1 (AMD). 2005, c. 12, §LL1 (AMD).

3 §162-A. SALARIES SUBJECT TO ADJUSTMENT BY LEGISLATIVE COUNCIL

Notwithstanding any other provisions of law, the salaries of the following legislative officials are at the salary ranges indicated in this section. Except as provided below, at the time of initial appointment the salary of each of these officials may be set at Step A or Step B, but no higher than Step B, of their respective ranges, except that any employees of the office of the Secretary of the Senate or the office of the Clerk of the House of Representatives at the time of initial appointment must have their salary set at a step within their respective salary range so that no loss of gross pay is experienced by those employees. The Legislative Council may adjust the salary of each official by one step for each year of continuous service after the initial appointment to office. [1993, c. 6, Pt. J, §1 (AMD) .]

The salary ranges shall be those established by the Legislative Council for legislative staff. No other state salary may be paid to these officials. [1987, c. 349, Pt. K, §1 (NEW) .]

1. Range 14. The salaries of the following state officials and employees shall be within salary range 14:

Secretary of the Senate; and

Clerk of the House of Representatives.

2. Range 9.

[1993, c. 707, Pt. FF, §1 (RP) .]

3. Range 86.

[1983, c. 862, §4 (RP) .]

4. Range 88.

[1983, c. 862, §4 (RP) .]

5. Range 89.

[1983, c. 862, §4 (RP) .]

SECTION HISTORY

1981, c. 702, §X11 (NEW). 1983, c. 853, §§3-5 (AMD). 1983, c. 862, §§2-4 (AMD). 1987, c. 769, §A2 (AMD). 1987, c. 349, §K1 (RPR). 1987, c. 349, Pt. K, §1 (RPR). 1993, c. 6, §J1 (AMD). 1993, c. 707, §FF1 (AMD).

3 §162-B. SALARIES OF CONSTITUTIONAL OFFICERS

Notwithstanding any other provisions of law, the salaries of the following state officials shall be at the salary ranges indicated in this section. At the time of initial appointment, the salary of the Secretary of State and the Treasurer of State shall be set at the Step C of the official's respective range. At the time of initial appointment, the salaries of the Attorney General and the State Auditor shall be set at Step E of their salary ranges. The Legislative Council may adjust the salary of each official by one step for each year of continuous service after the initial appointment to office. [1989, c. 501, Pt. O, §§7,22 (AMD); 1989, c. 596, Pt. C, §8 (AMD); 1989, c. 600, Pt. B, §§9, 10 (AMD); 1989, c. 878, Pt. D, §§14, 15 (AMD).]

The salary ranges shall be as provided by law for confidential employees who take the salary increase option instead of state payment of retirement contribution. No other state salary may be paid. These officials are not eligible for state payment of employee retirement contributions. [1983, c. 862, §§5, 6 (NEW).]

1. Range 88. The salary of the following state officials and employees shall be within salary range 88, but shall not be less than Step C in that range:

A. Secretary of State; and [1989, c. 501, Pt. O, §§7,22 (AMD); 1989, c. 596, Pt. C, §8 (AMD); 1989, c. 600, Pt. B, §§9, 10 (AMD); 1989, c. 878, Pt. D, §§14, 15 (AMD).]

B. Treasurer of State. [1989, c. 501, Pt. O, §§7,22 (AMD); 1989, c. 596, Pt. C, §8 (AMD); 1989, c. 600, Pt. B, §§9, 10 (AMD); 1989, c. 878, Pt. D, §§14, 15 (AMD).]

[1989, c. 501, Pt. O, §§7,22 (AMD); 1989, c. 596, Pt. C, §8 (AMD); 1989, c. 600, Pt. B, §§9, 10 (AMD); 1989, c. 878, Pt. D, §§14, 15 (AMD).]

2. Range 89. The salary of the State Auditor shall be within salary range 89, but shall not be less than Step E in that range.

[1989, c. 501, Pt. O, §§7,22 (AMD); 1989, c. 596, Pt. C, §8 (AMD); 1989, c. 600, Pt. B, §§9, 10 (AMD); 1989, c. 878, Pt. D, §§14, 15 (AMD).]

3. Range 91. The salary of the Attorney General shall be within salary range 91, but shall not be less than Step E in that range.

[1989, c. 501, Pt. O, §§7,22 (AMD); 1989, c. 596, Pt. C, §8 (AMD); 1989, c. 600, Pt. B, §§9, 10 (AMD); 1989, c. 878, Pt. D, §§14, 15 (AMD).]

SECTION HISTORY

1983, c. 862, §§5,6 (NEW). 1989, c. 501, §§07,22 (AMD). 1989, c. 596, §C8 (AMD). 1991, c. 824, §§B13,14 (AFF).

3 §163. EXECUTIVE DIRECTOR OF THE LEGISLATIVE COUNCIL; DUTIES

The duties of the Executive Director of the Legislative Council are: [2003, c. 673, Pt. QQQ, §1 (AMD) .]

1. Executive officers. To act as executive officer of the Legislature when it is not in session and unless the Legislature otherwise orders, the Executive Director shall, with the cooperation of the Secretary of the Senate and the Clerk of the House of Representatives have custody of all legislative property and material, arrange for necessary supplies and equipment through the State Bureau of Purchases, arrange for necessary services, make all arrangements for incoming sessions of the Legislature, have general oversight of chambers and rooms occupied by the Legislature and permit state departments to use legislative property. The Executive Director may sell, in accordance with procedures established by the Legislative Council, unneeded legislative equipment and materials and, with the approval of the President of the Senate and the Speaker of the House of Representatives, dispose of obsolete or unusable equipment and materials through the Bureau of General Services' surplus property program. Proceeds from the sale of unneeded equipment and materials must be credited to the legislative account. The Executive Director has the authority to enter into contracts authorized by the Legislative Council and shall approve accounts and vouchers for payment. A perpetual inventory of all legislative property must be maintained under the supervision of the Legislative Council and an accounting of the inventory must be made to the Legislature upon its request.

[2003, c. 673, Pt. QQQ, §2 (AMD) .]

2. Supervision. To assign, direct and supervise, subject to the control of the council, the activities of the legislative staff offices. The Executive Director shall have no supervisory authority with respect to any persons employed pursuant to chapter 1 or section 168 of this title;

[1985, c. 501, Pt. B, §4 (AMD) .]

2-A. Appointment of legislative staff. To appoint, upon recommendation of the appropriate office director and subject to the approval of the Legislative Council, qualified persons to legislative staff positions based solely on their ability to perform their duties and without regard to party affiliation. The general duties and compensation of these positions shall be established under the direction of the council and in accordance with organizational and performance objectives established by the council. These legislative staff positions shall be unclassified and not subject to the civil service law.

[1985, c. 785, Pt. B, §4 (AMD) .]

3. Vehicle for requests. To act as a vehicle through which the several agencies, departments and offices of the Legislature may report to the council their budget requests, personnel and supply requirements and to assist the council in the orderly disposition of these requests.

[1973, c. 590, §5 (RPR) .]

4. Policy implementation. To be responsible for implementing policy resulting from decisions of the council.

[1973, c. 590, §5 (RPR) .]

5. Reports. To prepare such reports as are required of the council and maintain minutes of the regular meetings of the council.

[1983, c. 590, §5 (RPR) .]

6. Staff assistants.

[1983, c. 2, §3 (RP) .]

7. Other duties. To undertake such other duties as are assigned by the council.

Revision: subsections 1-4 should end ";" subsection 5 should end "; and"

[1973, c. 590, §5 (RPR) .]

SECTION HISTORY

1965, c. 341, §§1,2 (AMD). 1965, c. 412, §4 (AMD). 1965, c. 425, §§2-D (AMD). 1965, c. 465, (AMD). 1967, c. 357, (AMD). 1967, c. 476, §§1,2 (AMD). 1969, c. 8, §2 (AMD). 1969, c. 504, §§2,3 (AMD). 1969, c. 527, (AMD). 1971, c. 298, (AMD). 1973, c. 14, §3 (AMD). 1973, c. 625, §7 (AMD). 1973, c. 788, §3 (AMD). 1973, c. 590, §5 (RPR). 1983, c. 2, §§2,3 (AMD). 1985, c. 501, §B4 (AMD). 1985, c. 785, §B4 (AMD). 1989, c. 410, §5 (AMD). 2003, c. 673, §§QQQ1,2 (AMD).

3 §163-A. LEGISLATIVE STAFF SERVICES

Legislative staff shall provide the following services under the direction of the Executive Director:

[1985, c. 501, Pt. B, §5 (NEW).]

1. Bill drafting. To furnish to the members of the Legislature the assistance of expert draftsman qualified to aid the Legislature in the preparation of bills for introduction into the Legislature;

[1985, c. 501, Pt. B, §5 (NEW) .]

2. Revision. Upon request, to assist any agency appointed to revise the statutes of the State or any portion of the statutes and, at the direction of such agency, to consolidate, revise and clarify the statutes of the State;

[1985, c. 501, Pt. B, §5 (NEW) .]

2-A. Engrossing. To engross all bills passed by the Legislature;

[1987, c. 816, Pt. KK, §2 (NEW) .]

3. Session laws. To prepare and index for printing as promptly as possible, after the adjournment of each session, the session laws, which compilation shall include all Acts and resolves which the Legislature has adopted during the session and which have received the approval of the Governor, when such approval is necessary, and any other material of a general nature that the Executive Director may determine;

[1985, c. 501, Pt. B, §5 (NEW) .]

4. Copy of public laws. After each session of the Legislature, to cause the public laws enacted at that session to be printed on good paper and in suitable type and to distribute the same within the State to all citizens making a request for those laws;

[1985, c. 501, Pt. B, §5 (NEW) .]

5. Pocket supplements. After each session of the Legislature, to cause to be published cumulative pocket supplements of the volumes of the Revised Statutes, and any replacement or recompiled volumes, which shall contain an accurate transcription of all public laws, the material contained in the next preceding

pocket supplement, complete and accurate annotations to the statutes, appendix and other material accumulated since the publication of the next preceding pocket supplement and a cumulative index of that material;

[1985, c. 501, Pt. B, §5 (NEW) .]

6. Continuing revision. After each session of the Legislature, to prepare a report inserting in their proper places in the Revised Statutes public laws enacted since the last revision of the statutes and, after each subsequent session of the Legislature, to prepare a report supplementing the report so that those reports and supplements shall form the basis of the next revision of the statutes;

[1985, c. 501, Pt. B, §5 (NEW) .]

7. Committee assistance. To provide research, analysis and bill drafting assistance for joint standing or select committees, including, but not limited to, the Joint Standing Committee on Appropriations and Financial Affairs, the Joint Standing Committee on Audit and Program Review and other legislative agencies;

[1985, c. 501, Pt. B, §5 (NEW) .]

8. Reports and legislation. To prepare narrative reports on matters referred to joint standing committees for review or study and prepare legislation to be introduced pursuant to those reports;

[1985, c. 501, Pt. B, §5 (NEW) .]

9. Research services. To provide a comprehensive research service for Legislators, legislative joint standing or select committees and commissions and the Legislative Council;

[1985, c. 501, Pt. B, §5 (NEW) .]

10. Collection of fiscal information. To collect and assemble factual information concerning the fiscal affairs of the State for the use of the Joint Standing Committee on Appropriations and Financial Affairs of the Legislature in formulating its proposals for appropriations and to collect and assemble fiscal information concerning other revenue funds for the use of any joint standing committee in formulating proposals for allocation acts;

[1985, c. 501, Pt. B, §5 (NEW) .]

11. Appropriation requests. To examine all requests for appropriations made by the various agencies of State Government and attend any hearings necessary to obtain complete information;

[1985, c. 501, Pt. B, §5 (NEW) .]

12. Statement of costs. To prepare statements pertaining to the existence of cost or the amount of cost to municipalities or counties for implementing or complying with a proposed law. The statement of cost shall be made within the limits of information provided to the office designated by the Legislative Council as having responsibility for financial analysis. The statements shall be furnished to the appropriate committee for the information of its members and for inclusion in bills which receive an ought to pass report when reported by the committee. A statement shall not be necessary for any bill which has no cost to municipalities or counties; and

[1985, c. 501, Pt. B, §5 (NEW) .]

13. Other duties. To undertake such other duties as are assigned by the Executive Director.

[1985, c. 501, Pt. B, §5 (NEW) .]

SECTION HISTORY

1985, c. 501, §B5 (NEW). 1987, c. 816, §KK2 (AMD) .

3 §164. DIRECTOR OF LEGISLATIVE RESEARCH; FUNCTIONS AND DUTIES
(REPEALED)

SECTION HISTORY

1969, c. 8, §1 (AMD). 1971, c. 480, §4 (AMD). 1973, c. 46, (AMD).
P&SL 1973, c. 220, §4 (AMD). 1973, c. 590, §§6,7 (AMD). 1973, c. 788,
§4 (AMD). 1979, c. 396, §7 (AMD). 1983, c. 2, §4 (AMD). 1985, c. 501,
§B6 (RP) .

3 §165. JOINT COMMITTEES, AUTHORITY

The Legislature may by rule establish such joint standing committees and joint select committees as it deems necessary. Such committees shall have the authority, both when the Legislature is in session and when it is not in session: [1973, c. 590, §8 (NEW) .]

1. Collect information. To collect information concerning the government and general welfare of the State as related to assignments received from the council;

[1973, c. 590, §8 (NEW) .]

2. Information and reports provided. To assist the Legislature in the proper performance of its constitutional functions by providing its members with impartial and accurate information and reports concerning the legislative problems which are assigned by the Legislative Council which information may be obtained by independent studies or by cooperation with and information from similar agencies in other states as to the practice of other states in dealing with similar problems;

[1973, c. 590, §8 (NEW) .]

3. Quorum. A majority of the members of a committee shall constitute a quorum, and a majority thereof shall have the authority to act in any matter falling within the jurisdiction of the committee. A committee may hold either public or private hearings and may hold executive sessions, excluding all except members of the committee;

[1973, c. 590, §8 (NEW) .]

4. State department to furnish information. Each state department shall furnish to a committee such documents, material or information as may be requested by a committee;

[1973, c. 590, §8 (NEW) .]

5. Minutes. A committee shall keep minutes of matters considered and votes taken at its meetings and shall make reports to the Legislature on all matters which come before the committee, the actions taken thereon and the progress made in relation thereto;

[1973, c. 590, §8 (NEW) .]

6. Reports to Legislature and public. Reports of a committee may be made from time to time to members of the Legislature and to the public;

[1973, c. 590, §8 (NEW) .]

7. Other subpoenas, etc. When the duties assigned to a committee so require, the Legislature may grant to it the power to administer oaths, issue subpoenas, compel the attendance of witnesses and the production of any papers, books, accounts, documents and testimony, and to cause the deposition of witnesses, whether residing within or without the State to be taken in the manner prescribed by law for taking depositions in civil actions in the Superior Court. When the Legislature grants this power to a joint standing committee or joint select committee, such committee shall function as an investigating committee and shall be subject to the provisions of chapter 21. No appropriation or allocation may be made for a specific study unless the Legislative Council has first approved a budget adopted by the joint standing committee which is to conduct the study. No appropriation or allocation may be made for the operation of any joint select committee unless the Legislative Council has first approved a budget adopted by the joint select committee. In case of disobedience on the part of any person to comply with any subpoena issued in behalf of a committee, or on the refusal of any witness to testify to any matters regarding which he may be lawfully interrogated, it shall be the duty of the Superior Court of any county, on application of a member of a committee, to compel obedience by proceedings for contempt, as in the case of disobedience of the requirements of a subpoena issued from such court or a refusal to testify therein. Each witness, other than a state officer or employee, who appears before a committee by its order or subpoena shall receive for his attendance the fees and mileage provided for witnesses in civil cases in courts of record, which shall be audited and paid upon the presentation of proper vouchers sworn to by such witness and approved by the chairman of the committee;

[1985, c. 377, §1 (AMD) .]

8.

[1975, c. 750, §2 (RP) .]

SECTION HISTORY

1973, c. 590, §8 (NEW). 1975, c. 593, §§1,2 (AMD). 1975, c. 623, §3 (AMD). 1975, c. 750, §2 (AMD). 1975, c. 770, §6 (AMD). 1985, c. 377, §1 (AMD).

3 §166. DIRECTOR OF LEGISLATIVE ASSISTANTS (REPEALED)

SECTION HISTORY

1973, c. 590, §9 (NEW). 1975, c. 770, §7 (AMD). 1983, c. 2, §5 (RPR). 1985, c. 501, §B7 (RP).

3 §167. LEGISLATIVE FINANCE OFFICER; DUTIES (REPEALED)

SECTION HISTORY

1973, c. 590, §10 (NEW). P&SL 1973, c. 220, §5 (AMD). 1979, c. 406, (AMD). 1979, c. 541, §A9 (AMD). 1983, c. 2, §6 (AMD). 1985, c. 501, §B8 (RP).

3 §168. STAFF ASSISTANTS TO LEGISLATIVE LEADERSHIP

The President of the Senate, the Majority and Minority Floor Leaders of the Senate, the Speaker of the House of Representatives, and the Majority and Minority Floor Leaders of the House of Representatives shall each have the authority to appoint, at his discretion, a personal staff assistant, or more than one assistant if their aggregate salary does not exceed that of the single personal staff assistant, when the Legislature is in session and at such other times as might be necessary, with the approval of the Legislative Council. [1983, c. 2, Pt. H, (AMD).]

SECTION HISTORY

1973, c. 590, §11 (NEW). 1975, c. 623, §§3-A (AMD). 1975, c. 770, §8 (AMD). 1977, c. 564, §§11-A (AMD). 1983, c. 32, §H (AMD).

3 §168-A. LEGISLATIVE YOUTH ADVISORY COUNCIL

There is established the Legislative Youth Advisory Council, referred to in this section as the "council." [2001, c. 439, Pt. PPPP, §1 (NEW); 2001, c. 439, Pt. PPPP, §4 (AFF).]

1. Duties. The council shall perform the following duties:

A. Advise the Legislature, the President of the Senate and the Speaker of the House of Representatives on proposed and pending legislation, state budget expenditures and policy matters related to youth; [2001, c. 439, Pt. PPPP, §1 (NEW); 2001, c. 439, Pt. PPPP, §4 (AFF).]

B. Advise the joint standing committees of the Legislature and study commissions, committees and task forces regarding issues related to youth; [2001, c. 439, Pt. PPPP, §1 (NEW); 2001, c. 439, Pt. PPPP, §4 (AFF).]

C. Conduct periodic seminars for its members regarding leadership, government and the Legislature; [2003, c. 20, Pt. F, §2 (AMD).]

D. Except as provided in this paragraph, meet at least 3 times but not more than 6 times per year, including not more than 2 public hearings on issues of importance to youth. The council may meet up to an additional 3 times in a year if the Executive Director of the Legislative Council determines that sufficient budgeted resources remain after paying all costs associated with the initial 6 meetings to pay any additional costs associated with any additional meetings; and [2007, c. 679, §1 (AMD).]

E. Report biennially to the Legislative Council on its activities by the first business day in February of each even-numbered year. The council may submit proposed legislation as part of its report to the Legislative Council to implement its recommendations. [2007, c. 679, §2 (AMD).]

[2007, c. 679, §§1, 2 (AMD) .]

2. **Jurisdiction.** The council shall examine issues of importance to youth, including, but not limited to, education, employment, strategies to increase youth participation in municipal government and State Government, safe environments for youth, substance abuse, emotional and physical health, foster care, poverty, homelessness and youth access to services on municipal and statewide bases.

[2001, c. 439, Pt. PPPP, §1 (NEW); 2001, c. 439, Pt. PPPP, §4 (AFF) .]

3. **Membership.** The council consists of 20 voting members who are Maine residents and appointed in accordance with this subsection. In appointing members, the appointing authorities shall consider geographic distribution. All youth and legislative appointments must be made within 60 days after the convening of each new Legislature. All appointments are for the duration of the legislative term for which the members are appointed and expire upon the convening of the next Legislature. The appointing authorities shall select youth members from youths recommended by principals, guidance counselors or administrative heads of secondary

or postsecondary school systems, representatives of equivalent instruction programs or other organizations having an interest in youth activities. Members may be reappointed to subsequent terms on the council as long as they are eligible at the time of their reappointment.

A. The President of the Senate shall appoint the following 10 members:

- (1) Seven youths who have attained 16 years of age and who are enrolled in programs that lead to a secondary school diploma or certificate of attendance or a general equivalency diploma, enrolled in equivalent instruction programs under Title 20-A, chapter 211, subchapter 1-A or enrolled at postsecondary educational institutions located in the State;
- (2) One youth who has attained 16 years of age and is enrolled in an equivalent instruction program under Title 20-A, chapter 211, subchapter 1-A; and
- (3) Two members of the Senate. [2005, c. 616, Pt. B, §2 (RPR) .]

B. The Speaker of the House shall appoint the following 10 members:

- (1) Seven youths who have attained 16 years of age and who are enrolled in programs that lead to a secondary school diploma or certificate of attendance or a general equivalency diploma, enrolled in equivalent instruction programs under Title 20-A, chapter 211, subchapter 1-A or enrolled at postsecondary educational institutions located in the State;
- (2) One youth who has attained 16 years of age and who is enrolled in an equivalent instruction program under Title 20-A, chapter 211, subchapter 1-A; and
- (3) Two members of the House of Representatives. [2005, c. 616, Pt. B, §2 (RPR) .]

[2005, c. 616, Pt. B, §2 (RPR) .]

4. Chairs. There is a legislative chair and a youth chair of the council. The legislative chair alternates every 2 years between the first-appointed member of the House of Representatives and the first-appointed member of the Senate, beginning in 2003 with the first-appointed member of the House of Representatives serving as the legislative chair for the 121st Legislature. The members shall elect one of their youth members to serve as the youth chair for that biennium.

[2005, c. 616, Pt. B, §3 (AMD) .]

5. Integration with learning results. The Department of Education may seek the cooperation of the council on the integration of council experience into the learning results standards in student service and career preparation.

[2005, c. 616, Pt. B, §4 (AMD) .]

6. Priorities. The council shall set priorities and shall determine the function of subcommittees, standards of conduct, process, procedures and the use of technology to convene meetings. Council members shall review and consider the procedures and rules used by the Legislature as they may be appropriate for use as models for the council.

[2001, c. 439, Pt. PPPP, §1 (NEW); 2001, c. 439, Pt. PPPP, §4 (AFF) .]

7. Communication. The council may provide testimony on legislation pending before the Legislature.

[2001, c. 439, Pt. PPPP, §1 (NEW); 2001, c. 439, Pt. PPPP, §4 (AFF) .]

8. Compensation. Members of the council who are Legislators are entitled to the legislative per diem and to reimbursement of reasonable expenses incurred in order to serve on the council as provided in Title 5, section 12004-I, subsection 54-C. All other members who are not otherwise reimbursed for their service on the council are entitled to compensation for reasonable expenses incurred in order to serve on the council as provided in Title 5, section 12004-I, subsection 54-C.

[2001, c. 439, Pt. PPPP, §1 (NEW); 2001, c. 439, Pt. PPPP, §4 (AFF) .]

9. Freedom of access. Meetings of the council are public meetings and all records of the council are public records as defined by Title 1, section 402, subsection 3.

[2001, c. 439, Pt. PPPP, §1 (NEW); 2001, c. 439, Pt. PPPP, §4 (AFF) .]

10. Staff. The Legislative Council shall provide staff assistance to the council from within its existing budgeted resources or from any grants received by the Legislative Council for that purpose. The staff assigned by the Legislative Council shall draft all legislation submitted to the Legislature by the council. Legislative Council staffing may be curtailed during periods when the Legislature is in regular or special session.

[2005, c. 414, §1 (AMD) .]

11. Funding. The Legislative Council may seek outside funds to fund costs of the council. Contributions to support the work of the youth council may not be accepted from any party having a pecuniary or other vested interest in the outcome of the matters being studied or who would in any way compromise the work of the council. Any person, other than a state agency, desiring to make a financial or in-kind contribution must certify to the Legislative Council or its designee in the manner prescribed by the Legislative Council that the person has no pecuniary or other vested interest in the outcome of the work of the council. All contributions are subject to approval by the Legislative Council or its designee. The Executive Director of the Legislative Council administers any funds received by the youth council. The executive director shall notify the chairs of the youth council of the status of the funding on or before December 1st annually and what funding is available for the immediately following calendar year.

[2005, c. 414, §2 (NEW) .]

12. Solicitation of funds prohibited without prior written approval. No public or private entity may solicit or receive funds from any source on behalf of or for the benefit of the council without prior written approval of the Legislative Council or its executive director. All such funds, if approved and when received by the requesting entity, must be immediately transferred in full to the Legislature and reserved by the Legislature for use by the council.

[2005, c. 616, Pt. A, §1 (NEW) .]

SECTION HISTORY

2001, c. 439, §PPPP1 (NEW). 2001, c. 439, §PPPP4 (AFF). 2003, c. 20, §§F2,3 (AMD). 2003, c. 481, §§1,2 (AMD). 2003, c. 689, §B6 (REV). 2005, c. 414, §§1,2 (AMD). 2005, c. 616, §§A1,B1-4 (AMD). 2007, c. 679, §§1, 2 (AMD).

3 §169. CONSTITUENT SERVICE OFFICER; FUNCTIONS AND DUTIES **(REPEALED)**

SECTION HISTORY

1973, c. 590, §12 (NEW). 1985, c. 501, §B9 (RP).

3 §170. PARTISAN EMPLOYEES; RESTRICTED ACTIVITIES

Partisan legislative employees who assume active roles in campaigns shall either limit their activities to evenings and weekends or take leave to pursue these activities if they occur during the Legislature's regular business day, which is 8 a.m. to 5 p.m. This includes fund raising for campaign efforts as well as other activities that are directly related to election or reelection efforts. [1995, c. 100, §1 (NEW).]

SECTION HISTORY

1995, c. 100, §1 (NEW).

3 §170-A. USE OF LEGISLATIVE EQUIPMENT AND RESOURCES

Legislative employees are prohibited from at any time using the computer system, telephones, copying machines and other legislative equipment for work related to campaigns. [1995, c. 100, §1 (NEW).]

SECTION HISTORY

1995, c. 100, §1 (NEW).

Subchapter 2: LAW AND LEGISLATIVE REFERENCE LIBRARY

3 §171. DECLARATION OF POLICY

The Legislature declares that it is the policy of the State to provide a law and legislative reference library adequate to the informational needs of the Legislature, other branches of State Government and the citizens of Maine. [1971, c. 480, §1 (NEW).]

SECTION HISTORY

1971, c. 480, §1 (NEW).

3 §172. STATE LAW LIBRARIAN

(REPEALED)

SECTION HISTORY

1971, c. 480, §1 (NEW). P&SL 1973, c. 220, §6 (AMD). 1973, c. 590, §13 (AMD). 1975, c. 770, §9 (RP).

3 §172-A. STATE LAW LIBRARY; ADMINISTRATION

The Executive Director of the Legislative Council shall assign, direct and supervise, subject to the control of the council, the activities of the State law and legislative reference library. [1985, c. 501, Pt. B, §10 (NEW).]

SECTION HISTORY

1985, c. 501, §B10 (NEW).

3 §173. STATE LAW LIBRARY; SERVICES

The State Law Library shall provide the following services: [1985, c. 501, Pt. B, §11 (AMD).]

1. Legislative reference service. Provide a comprehensive reference service on legislative problems for all members of the Legislature and its committees, equally and impartially, and to the limits of its staff and facilities. Such reference services shall be available also to public officials and to citizens generally.

Collect, index and make available in the most suitable form information relative to governmental subjects which will aid the Legislature, other public officials and citizens to perform their duties in an enlightened manner.

[1971, c. 480, §1 (NEW) .]

2. Law library. Provide a law library for the use of all agencies of State Government, the judiciary, attorneys and citizens of Maine.

[1985, c. 501, Pt. B, §11 (AMD) .]

3. Distribution, sale and exchange of law books. Copies of the Revised Statutes, supplements thereto and session laws shall be delivered by the printer to the State Law Librarian for distribution and sale in accordance with prices, policies and procedures established by the Legislative Council. All proceeds from such sales shall be deposited to the credit of the General Fund.

A.

Copies shall be sent, on an exchange basis, to the Library of Congress, secretary of the Maine State Bar Association, the Supreme Court Library of Canada and to each state or territorial library in the United States.

One copy of the laws passed by each session of the Legislature shall be given to each Member thereof, the Secretary of the Senate, the Assistant Secretary of the Senate, the Clerk of the House and the Assistant Clerk of the House. [1985, c. 501, Pt. B, §11 (RP) .]

Revision note: Paragraph A repealed, but these 2 paragraphs are blocked paragraphs of A. (see PL1985, c. 501, Pt. B, § 11).

B. [1985, c. 501, Pt. B, §11 (RP) .]

C. [1985, c. 501, Pt. B, §11 (RP) .]

The State Law Librarian may, in his discretion, sell surplus copies of volumes entrusted to him or use them for exchange purposes to increase the usefulness of the library. Proceeds from all sales shall be deposited to the credit of the General Fund.

[1985, c. 501, Pt. B, §11 (AMD) .]

SECTION HISTORY

1971, c. 480, §1 (NEW). P&SL 1975, c. 147, §H1 (AMD). 1975, c. 771, §§12-14 (AMD). 1977, c. 506, §§1-3 (AMD). 1981, c. 48, §2 (AMD). 1985, c. 501, §B11 (AMD).

3 §174. ADMINISTRATIVE PROVISIONS

(REPEALED)

SECTION HISTORY

1971, c. 480, §1 (NEW). 1975, c. 770, §10 (RPR). 1979, c. 396, §8 (AMD). 1983, c. 2, §7 (AMD). 1985, c. 501, §B12 (RP).

The State of Maine claims a copyright in its codified statutes. If you intend to republish this material, we require that you include the following disclaimer in your publication:

All copyrights and other rights to statutory text are reserved by the State of Maine. The text included in this publication reflects changes made through the First Special Session of the 123rd Legislature, and is current through December 31, 2008, but is subject to change without notice. It is a version that has not been officially certified by the Secretary of State. Refer to the Maine Revised Statutes Annotated and supplements for certified text.

DAVID E. BOULTER
EXECUTIVE DIRECTOR
OF THE LEGISLATIVE COUNCIL



MAINE STATE LEGISLATURE
OFFICE OF THE EXECUTIVE DIRECTOR
LEGISLATIVE COUNCIL

Memo

To: Members of the Legislative Council
124th Maine Legislature

From: ^{D.B.} David E. Boulter, Executive Director
Legislative Council

Date: December 4, 2008

Re: Assignment of initial salaries for Constitutional Officers & the State Auditor

One of the initial decisions required of the Legislative Council once a new Legislature is convened is the assignment of the initial salary for newly elected Constitutional Officers and the State Auditor. State law prescribes the salary grade and the initial salary step for each official. Following the initial appointment of the Constitutional Officers and the State Auditor, the Legislative Council is authorized to adjust the salary of each official by one step for each year of continuous service.

"Notwithstanding any other provisions of law, the salaries of the following state officials shall be at the salary ranges indicated in this section. At the time of initial appointment, the salary of the Secretary of State and the Treasurer of State shall be set at the Step C of the official's respective range. At the time of initial appointment, the salaries of the Attorney General and the State Auditor shall be set at Step E of their salary ranges. The Legislative Council may adjust the salary of each official by one step for each year of continuous service after the initial appointment to office.

The salary ranges shall be as provided by law for confidential employees who take the salary increase option instead of state payment of retirement contribution. No other state salary may be paid. These officials are not eligible for state payment of employee retirement contributions." 3 MRSA §162-B.

Because the Secretary of State, State Treasurer and State Auditor have been re-elected to their positions, it is unnecessary for the Legislative Council to establish initial salaries for them. Step increases for them, however, require

Memo to Legislative Council
Re: Assignment of Initial Salaries
December 2, 2008
Page 2

Legislative Council approval, and will be presented for Legislative Council decision at a later date.

The Attorney General was newly elected at the convening of the 124th Legislature, and as such, the Legislative Council must establish the initial salary for the Attorney General upon her taking office.

Pursuant to law, the salary for the Attorney General must be within Salary Grade 91. Effective January 1, 2009 the salary for Grade 91 ranges from \$79,999.92 to \$115,489.92. Step E (Step 5) is assigned an annual salary of \$96,866.40.

The starting salary of the Attorney General requires the approval of the Legislative Council in accordance with the salary grade and step provided in 3MRSA §162-B (Grade 91, Step 5).

G:\Council\124th Legislative Council\constitutional officers salaries memo 12-2-08.doc 12/3/2008 2:05 PM




MARGARET E. MATHESON
REVISOR

MAINE STATE LEGISLATURE
OFFICE OF THE REVISOR OF STATUTES
STATE HOUSE STATION 7
AUGUSTA, MAINE 04333-0007
(207) 287-1650
FAX: (207) 287-6468

Date: December 4, 2008

To: Members of the Legislative Council of the 124th Legislature

From: Margaret E. Matheson, Revisor 

RE: Policy on processing duplicate bill request filings

In past sessions, the Legislative Council has established a policy whereby the Office of the Revisor of Statutes is directed to combine similar bill requests pursuant to Joint Rule 206, section 2, which provides that:

For duplicate or closely related bills or resolves, the Legislative Council may establish a policy for combination of requests and the number of cosponsors permitted on combined requests.

Before the above language was adopted by the 118th and subsequent legislatures, every bill was simply processed and printed without regard to whether it was closely related to another. Since the advent of the rule, however, each Legislative Council has used its authority to direct that my office in some manner combine closely related bills.

Historically the process was:

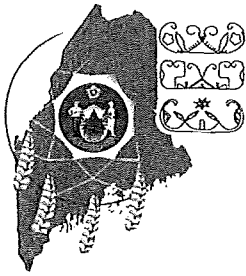
- The bill titles were reviewed after cloture in an attempt to identify bills that were closely related. If the proposed solutions to the same problem were similar enough, the requests were combined into one measure. In making assessments to identify duplicates, the process normally took a couple of weeks to review and assess all the requests and most duplicates were identified prior to the Legislature's return in January.

- The sponsor who filed the first complete request was the primary sponsor of the measure.
- The identified later filers were given the opportunity to sign onto the measure as mandatory cosponsors; the primary sponsor was also allowed to collect the full complement of cosponsors authorized by Joint Rule 206.
- If a later filer demonstrated that the bill request he or she filed was not closely related, then his or her request was fully drafted according to the sponsor's direction.

The duplicate resolution language has always gone hand in hand with a cloture date of the third week in December. Because the cloture date has been moved further into the legislative schedule by a month this session, the process used historically must be modified. We have the opportunity and the responsibility to process and release many bills before cloture. To identify similar bill requests as we have historically, it would be necessary to suspend bill processing until after the cloture date. Since that kind of delay would not further the Legislature's goal of expeditious processing and printing of bills, the Revisor's Office can instead make reasonable efforts to identify duplicate bills as we are processing them before cloture and notify sponsors as we have done in the past, setting up primary and mandatory cosponsors; the opportunity to miss identifying duplicates, however, is greater. By printing bills prior to cloture, a number of potential duplicates can not be identified and combined.

Alternatively, because it will not be possible to know the universe of bills until later in the session and because the work of the Legislature needs to move forward, the Legislative Council could direct us to simply process and print bills without regard to whether they are closely related or not.

Thank you for your attention.



Maine Indian Tribal-State Commission

November 21, 2008

Paul Bisulca - Chair
John Banks
Greg Cunningham
Michael Hastings
Paul Jacques
Hilda Lewis
Bonnie Newsom
James Nimon
Linda Raymond
Brian Reynolds
Donald Soctomah

David Boulter, Executive Director
Legislative Council
115 State House Station
Augusta, Maine 04333-0115

Dear David:

The Maine Indian Tribal-State Commission (MITSC) wants to collaborate with Legislative leadership and the Office of the Legislative Council to design an effective orientation program addressing tribal-state relations for the incoming legislators of the 124th Legislature. We appreciate the cooperation that we received from you and Legislative leadership last session to expose legislators to the Maine Indian Claims Settlement, MITSC, the Wabanaki, and tribal-state relations.

Last session's orientation activities included stops at the Houlton Band of Maliseet Indians Reservation and Passamaquoddy Tribe's Sipayik Reservation during the Maine Development Foundation's Economic Tour of Northern and Eastern Maine. In addition, we addressed legislators in the House Chambers on January 25, 2007 and Senate Chambers on January 17, 2008. Finally, we organized a bus tour to Indian Island on January 16, 2008.

I have already discussed with Ed Cervone at the Maine Development Foundation their plan to incorporate a visit with the Maliseets as part of the 2009 Northern Maine Tour. We commend the committee planning the Northern Maine Tour for including the stop with the Houlton Band of Maliseet Indians. Though that visit will be especially helpful to legislators, we perceive a need for some type of briefing session to take place in the State House to supplement the experience legislators will have in Littleton.

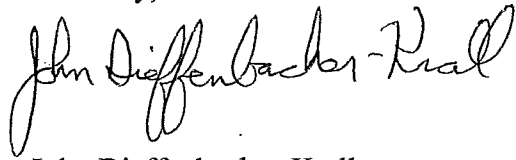
In this period of strained tribal-state relations, we believe educating legislators regarding the Maine Indian Claims Settlement Act, Maine Implementing Act, the Wabanaki Tribes, responsibilities of MITSC, and current priority issues concerning tribal-state relations is imperative. MITSC stands ready to work with you and legislative leadership on planning this requested session to maximize its usefulness and efficacy. MITSC also suggests that we solicit the input of Passamaquoddy Tribal Representative Donald Soctomah and Penobscot Tribal Representative Wayne Mitchell for their ideas on how we best accomplish the intended education of the legislators.

John Dieffenbacher-Krall
Executive Director
P.O. Box 186
Hudson, ME 04449
(207) 394-2045
mitsced@midmaine.com

EXECUTIVE DIRECTOR'S
OFFICE
2008 NOV 24 A 8:19

Thank you for incorporating this important subject area into the overall orientation program for the 124th Maine Legislature.

Sincerely,

A handwritten signature in black ink, reading "John Dieffenbacher-Krall". The signature is fluid and cursive, with the first name "John" being particularly prominent.

John Dieffenbacher-Krall
Executive Director

cc: MITSC Commissioners
Passamaquoddy Tribal Representative Donald Soctomah
Penobscot Tribal Representative Wayne Mitchell



EXECUTIVE DIRECTOR'S
OFFICE

2008 DEC -2 P 12: 09

MAINE STATE LEGISLATURE
Augusta, Maine 04333

**CRIMINAL JUSTICE & PUBLIC SAFETY COMMITTEE STUDY OF SEX OFFENDER
REGISTRATION LAWS**

December 2, 2008

The Honorable Beth Edmonds, Chair
The Honorable Glenn Cummings, Vice-Chair
Legislative Council
123rd Maine Legislature
115 State House Station
Augusta, Maine 04333

Dear Senator Edmonds and Representative Cummings:

This letter is to inform you that the Criminal Justice & Public Safety Committee Study of Sex Offender Registration Laws is pleased to submit its final report pursuant to Joint Order S.P. 933

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read 'Bill Diamond'.

Senator Bill Diamond, Senate Chair

A smaller, stylized handwritten signature in black ink, appearing to read 'Stan Gerzofsky'.

Representative Stan Gerzofsky, House Chair

Enclosure

c: Members of the Legislative Council



MAINE STATE LEGISLATURE
Augusta, Maine 04333

**COMMITTEE TO STUDY THE PROTECTION OF FARMS AND
FARMLAND**

December 2, 2008

The Honorable Beth Edmonds, Chair
The Honorable Glenn Cummings, Vice-Chair
Legislative Council
123rd Maine Legislature
115 State House Station
Augusta, Maine 04333

Dear Senator Edmonds and Representative Cummings:

This letter is to inform you that the Committee to Study the Protection of Farms and Farmland is pleased to submit its final report pursuant to Public Law 2007, c. 649, section 11. Copies of the report have been placed on file with the Law and Legislative Reference Library.

Sincerely,

A handwritten signature in black ink, appearing to read "John M. Nutting".

Senator John M. Nutting, Senate Chair

A handwritten signature in black ink, appearing to read "Wendy Pieh".

Representative Wendy Pieh, House Chair

Enclosure

c: Members of the Legislative Council



The Council of State Governments
Eastern Regional Conference

100 Wall Street, 20th Floor
New York, NY 10005
T: (212) 482-2320
F: (212) 482-2344
www.csgeast.org

March 26, 2008

Co Chairs
Senator Shirley Turner
Senate President Pro Tempore
New Jersey

Senator Sean Kean
New Jersey

Assemblyman John Wisniewski
Deputy Speaker
New Jersey

Assemblyman Reed Gusclora
Assistant Majority Leader
New Jersey

Co Vice Chairs
Senator William Doyle
Minority Leader
Vermont

Representative Carolyn Partridge
Majority Leader
Vermont

Director
Alan V. Sokolow

TO: Senate President Beth Edmonds ✓
Senate Majority Leader Libby Mitchell
Senate Assistant Majority Leader John Martin
Senate Minority Leader Carol Weston
Senate Assistant Minority Leader Richard Rosen
Speaker Glenn Cummings
House Majority Leader Hannah Pingree
House Assistant Majority Leader Sean Faircloth
House Minority Leader Joshua Tardy
House Assistant Minority Leader Robert Crosthwaite

FROM: Alan V. Sokolow
CSG/ERC Director

RE: CSG/ERC 2010 Annual Meeting in Maine

It was a delight seeing you during my visit to the State House last month. Wendell Hannaford, Marge Kilkelly and I appreciate very much your interest in and commitment to the work and mission of The Council of State Governments' Eastern regional Conference (CSG/ERC). We look forward to serving you in the months and years ahead.

As we discussed with many of you, Maine has hosted the CSG/ERC Annual Meeting several times in the past decades – the last time was 1997 in Portland. Each time it has been a memorable event which has attracted a large attendance. We mentioned that the next opportunity would be 2010 (August) following the 2009 Annual Meeting in Burlington, VT in early August. We would expect a turnout of at least 600 delegates and their families from our 18 member jurisdictions and the private sector.

I have attached a background memo on Host State and ERC responsibilities and a two year time-line. The key items to focus on are: (1) the requirement to select a Senate and a House member to serve ERC Co Vice-Chairs in 2009 and Co-Chairs in 2010 (selected at this summer's Annual Meeting in August in NJ), (2) the commitment to appropriate/raise \$175,000 - \$200,000 to cover the costs of the social program from public and private sector funds, (3) selection of a Conference Coordinator(s) (Pat Eltman served in that role with assistance from Sally Tubbesing in 1997), (4) selection of host and finance committees and (5) if appropriate selection of a Private Sector Chair.

We would be so pleased if you agreed to host the CSG/ERC Annual meeting & Regional Policy Forum in the Summer of 2010 in Portland. We look forward, with great anticipation, to your response.

cc: Senator Joseph Brannigan
Representative Nancy Smith
Representative Leila Percy
David Boulter



The Council of State Governments

Eastern Regional Conference

100 Wall Street, 20th Floor
 New York, NY 10005
 T: (212) 482-2320
 F: (212) 482-2344
www.csgeast.org

March 26, 2008

TO: Senate President Beth Edmonds
 Senate Majority Leader Libby Mitchell
 Senate Assistant Majority Leader John Martin
 Senate Minority Leader Carol Weston
 Senate Assistant Minority Leader Richard Rosen
 Speaker Glenn Cummings
 House Majority Leader Hannah Pingree
 House Assistant Majority Leader Sean Faircloth
 House Minority Leader Joshua Tardy
 House Assistant Minority Leader Robert Crosthwaite

FROM: Alan V. Sokolow
 CSG/ERC Director

RE: CSG/ERC Annual Meeting Host State
 Responsibilities and Time-Line

In order to assist you in your efforts to consider hosting the CSG/ERC Annual Meeting & Regional Policy Forum in August, 2010 in Portland, below is an outline on the host state responsibilities and the time-line for action.

The Maine Host Committee's most significant roles are: (1) organizing and managing the social program, including the Executive/Corporate Contributors Dinner (2) carrying out an in-state corporate fundraising campaign, (3) arranging transportation for the social and business programs, (4) soliciting state products for a gift bag and (5) providing suggestions on business agenda theme, topic ideas, featured speakers, presiders and off-site visits and auxiliary programs.

ERC Officers

Maine legislative leadership recommends a member of the Senate and a member of the House to serve as ERC Co Vice-Chairs beginning on January 1, 2009 and Co-Chairs on January 1, 2010. The names are sent to the ERC Director in the Spring of 2008 to be voted on by the ERC Nominations Committee at the 2008 Annual Meeting in Atlantic City, NJ on August 12th. It is preferred that the candidates be active with CSG/ERC as executive or policy committee members or Eastern Leadership Academy fellows.

Annual Meeting Memorandum

Page 2

Social Program***Management***

- Members/Staff Maine Host Committee
- Social Event Coordinator
- Junior/Teen Delegate Coordinator

Events

- ERC '10 Reception to be held on August 5, 2009 at the Hilton Hotel in Vermont.
- ERC Executive/Annual Committee Dinner on Friday evenings during their Spring, 2010 (March/April) meeting in Maine (40-50pp).
- ERC Executive/Annual Meeting Committee/Corporate Contributors/Host State Committee Reception Dinner on Saturday evening, August, 2010 will serve as the "kick-off" event for the Annual Meeting in Maine (100-125 pp). Plan evening event for children of Executive and Host State Committees that evening at the hotel or off-site venue (15-20 pp).
- Delegates/Family Event on the opening Sunday evening, August, 2010 (375-400 pp).
- Junior/Teen Delegates/Spouse/Guests Day-Long programs and lunches from 9:00 AM - 4:30 PM on Monday and Tuesday (50-75 children/75-100 spouses) in August, 2010.
- Junior/Teen Delegates Evening programs from 6:00 PM - 10:00 PM on the Monday, this is the free night for parents, and the Tuesday 6:00 PM - 11:00 PM, this is the night of the State Dinner.
- Social Program budget preparation and presentation to ERC Annual Meeting Committee at its March, 2009 meeting in Vermont.

Annual Meeting Memorandum
Page 3

Business Program

Management

- ERC Staff
- ERC Executive/Annual Meeting Committees

Host State Responsibilities

- Invite governor and local mayor to participate in the opening session on the Monday morning.
- Suggest VIP/Keynote speakers with a Maine connection.
- Suggest Maine legislative and executive branch officials to serve as moderators, presidents and speakers where appropriate.

State/Corporate Fundraising

Management

- Maine Host Committee/Coordinator (In-State)
- ERC Executive Committee (Out-of-State)
- ERC Director (Out-of-State)
- CSG Financial Management Staff (process all revenues and expenditures)

Annual Meeting Memorandum

Page 4

Goals

- \$100,000 state appropriation over two fiscal years
- \$75,000 - \$100,000 (Corporate In-State for social programs)
- \$125,000 - \$150,000 (Out-of-State for business program))

Process

- Solicitation letters sent out in April, 2009 and follow-up in November, 2009 and February, 2010 Maine companies. Out-of-host-state companies solicited November, 2009 and February, 2010.
- In-State corporate contribution checks are sent to Host State Coordinator and forwarded to Eastern Office. Out-of-State checks are sent directly to the ERC Office. All checks are forwarded to the CSG Lexington Office and placed in a segregated ERC '10 account. Acknowledgment letters are sent out by respective solicitors.
- All original invoices, including requests for advanced deposits, are to be sent to the Eastern Office for review, approval and processing for payment through the accounting division in Lexington.

Gift Bag*Management*

- Maine Host Committee and Coordinator

Goals

- Solicitation of a gift bag as an in-kind contribution (400-500).
- Solicitation of products especially those manufactured in Maine (400-500 per item).