

MAINE STATE LEGISLATURE

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Report of the Subcommittee on House Rules

January 13, 1999

Subcommittee on House Rules

**Speaker G. Steven Rowe, Chair
Representative Richard H. Thompson
Representative Joseph M. Jabar
Representative Michael J. McAlevey
Representative Janice E. Labrecque**

Staff

**Joseph W. Mayo, Clerk of the House
Millicent M. MacFarland, Assistant Clerk of the House**

MINUTES -SUBCOMMITTEE ON HOUSE RULES
JANUARY 5, 1999

Members present: Speaker G. Steven Rowe, Chair
Representative Richard H. Thompson
Representative Joseph M. Jabar, Jr.
Representative Michael J. McAlevey
Representative Janice E. Labrecque

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Staff present: Joseph W. Mayo, Clerk
Millicent M. MacFarland, Assistant Clerk

The Special Committee on House Rules was called to order by Speaker Rowe at 9:10 a.m. in Room 437 of the State House.

The Clerk distributed copies of the following four proposals which were discussed and subsequently voted on.

- 1) An amendment offered by Representative T. Murphy to amend House Rule 501. (attachment A) which adds new language relative to the 2/3's vote requirement for extending the session past 9:00 p.m. Motion to accept by Representative Labrecque failed 2-3.
- 2) An Amendment offered by Representative Perkins to amend House Rule 201 (attachment B) to allow reference to both the "Governor" and "the Senate" by members during debate, and to suspend electronic amplification of the Clerk's reading of papers when the Speaker and Clerk are speaking at the same time. Motion by Representative Thompson of Ought Not to Pass accepted 5-0.
- 3) An Amendment offered by Representative Glynn to amend House Rule (attachment C) to amend House Rule 510 adding new language to require the yeas and nays on final enactment of a bill. Motion by Representative Jabar of Ought Not to Pass accepted 5-0.

An amendment to add a preamble to the House rules, Amend House Rule 507 by adding new language relative to House amendments, adding a new House Rule 517 (which replaces Joint Rule 405) allowing the Speaker to order a bill to be engrossed upon introduction, and adding a new House Rule 107 regarding the appropriateness of proceedings of the House placed in rules rather than statute (attachment D) Motion of Representative Jabar to accept prevailed (5-0). Meeting adjourned.

12-1-98

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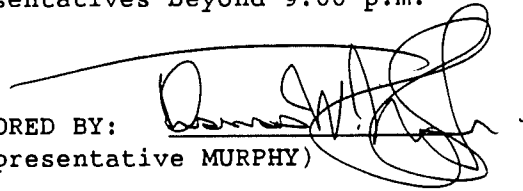
**STATE OF MAINE
HOUSE OF REPRESENTATIVES
119TH LEGISLATURE
FIRST REGULAR SESSION**

HOUSE AMENDMENT "B" to "House Order to Adopt the House Rules"

Amend the order in Rule 501 in the last paragraph in the last sentence by inserting after the following: "9:00 p.m." the following: 'without the affirmative vote of 2/3 of the members present and voting.'

SUMMARY

This amendment requires a 2/3 affirmative vote of those present and voting to extend a session of the House of Representatives beyond 9:00 p.m.

SPONSORED BY: 
(Representative MURPHY)

TOWN: Kennebunk

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
119TH LEGISLATURE
FIRST REGULAR SESSION

HOUSE AMENDMENT "D" to "House Order to Adopt the House Rules"

Amend the order by inserting after the first paragraph the following:

'That House Rule 201, subsection 1, paragraph D is be amended to read:

'D. Enforce the observance of order and decorum. The following are rules of decorum.

(1) The Governor may be referred to as the Governor.

(2) The Senate may be referred to as the Senate.'

Further that House Rule 201, subsection 1, paragraphs L and M are amended to read:

'L. Appoint one monitor for each division of the House; and

M. Decide whether debate is relevant to some definite question under consideration; and'

Further that House Rule 201, subsection 1, paragraph N is enacted to read:

'N. Suspend electronic amplification of the Clerk's reading of papers when the Speaker and the Clerk are speaking at the same time.'

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SUMMARY

This amendment amends the House Rules by allowing the Governor to be referred to as the Governor and the Senate to be referred to as the Senate. The amendment also requires the Clerk to suspend electronic amplification of the Clerk's reading of papers when the Speaker and the Clerk are speaking at the same time.

SPONSORED BY: Royce W. Perkins
(Representative PERKINS)

TOWN: Penobscot

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DATE: 12-2-98

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
119TH LEGISLATURE
FIRST REGULAR SESSION

HOUSE AMENDMENT "E" to H.P. 5, "House Order to Adopt the House Rules"

Amend the order by inserting after House Rule 501 the following:

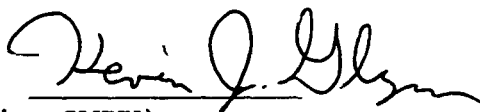
'That House Rule 510 be amended to read:

Rule 510. Yeas and nays. A call for the yeas and nays is in order--at-any-time-before--a mandatory on every vote is--made certain-and-declared on bills on their passage to be enacted.'

SUMMARY

This amendment amends the House Order by amending House Rule 510 to require a recorded vote on all votes on bills on their passage to be enacted.

SPONSORED BY:



(Representative GLYNN)

TOWN: South Portland

Proposed Changes to
Rules of the House of Representatives

Preamble

These rules of the House of Representatives are adopted pursuant to the Constitution of Maine to assist in carrying out the responsibilities of the House of Representatives. These rules take precedence over the Joint rules, statutes enacted by a prior Legislature relating to the proceedings of the House, and other rules used in Legislative assemblies. These rules govern the proceedings of the House in all matters, subject only to the requirements of the Constitution of Maine.

Rule 107: (new)

A member may question the appropriateness of a bill that attempts to establish proceedings of the House in statute. Such legislation may be ruled not properly before the House by the Speaker.

Rule 507 Add:

A House amendment that strikes and replaces in total a Committee amendment is not properly before the House.

Rule 517 Add: (replaces text proposed for deletion from Jt. Rule 405)

The Speaker of the House may order any bill or resolve to be engrossed upon its introduction to the House.

MINUTES -SUBCOMMITTEE ON HOUSE RULES
JANUARY 12, 1999

Members present: Speaker G. Steven Rowe, Chair
Representative Richard H. Thompson
Representative Michael J. McAlevey
Representative Janice E. Labrecque

Staff present: Joseph W. Mayo, Clerk
Millicent M. MacFarland, Assistant Clerk

The House Subcommittee on Rules was called to order by Speaker Rowe immediately following the adjournment of the Special Committee on Legislative Rules in Room 334 of the State House.

The Clerk distributed one additional proposal which was discussed and subsequently voted on.

- 1) A proposal to amend House Rule 201 (attachment A) was offered by Representative Stanwood which was discussed by Committee Members. Representative Thompson moved "Ought Not to Pass". Speaker Rowe seconded the motion. "Ought Not to Pass" motion passed unanimously (4-0).

Committee members accepted the minutes of the January 5, 1999 meeting with revisions. Meeting adjourned.

M
R. O. S.

Attachment A

STATE OF MAINE

In House _____

ORDERED, that House Rule 201 be amended to read:

Rule 201. Duties and Powers of the Speaker

1. Duties. The Speaker shall:

A. Take the chair at the hour to which the House has adjourned, call the members to order and, after the appearance of a quorum, cause the journal of the preceding day to be read;

B. Announce the business before the House in the order in which it is to be acted upon;

C. Receive, submit to vote and announce the result of all motions that are in proper order and that arise in the course of proceedings;

C-1. Open and close a roll call vote by setting a timer to start and cease the vote;

D. Enforce the observance of order and decorum;

E. Decide all questions of order within 7 legislative days, subject to an appeal to the House;

F. Receive all messages and other communications and announce them to the House;

G. Authenticate by the Speaker's signature bills that have passed to be enacted and resolves that have finally passed;

H. Name a member to perform the duties of Speaker during the Speaker's absence;

I. Appoint and may rescind the appointments of the following individuals at any time:

(a) The members who are to serve on committees; and

R & S.

(b) A sergeant-at-arms, an assistant sergeant-at-arms, a document clerk, doorkeepers, a courier and 5 pages;

J. At the commencement of the session, appoint the following standing committees:

- (a) On Leave of Absence;
- (b) On Bills in the Second Reading;
- (c) On Engrossed Bills;
- (d) On Ethics;
- (e) On Elections; and
- (f) On Rules and Business of the House.

Each committee consists of 8 members, except the Committee on Rules and Business of the House, which consists of 3 members and the Speaker ex officio. Each committee shall consider and report on all subjects referred to the committee;

K. Name the person to speak when 2 or more members rise at the same time; in other instances, recognize the member who rises first and addresses the chair;

L. Appoint one monitor for each division of the House; and

M. Decide whether debate is relevant to some definite question under consideration.

2. Powers. The Speaker may:

A. Appoint honorary pages;

B. Appoint legal counsel while the Legislature is in session;

C. Address the House on points of order, in preference to other members; and

D. Vote in all cases.

SPONSORED BY: Robert E. Stanwood
(Representative STANWOOD)

TOWN: Southwest Harbor

**House Orders to be
Considered on the
House Calendar
January 14, 1999**

W
H. O. S.

STATE OF MAINE

In House _____

ORDERED, that the House Rules be amended by inserting before Part 1 the following:

Preamble. These rules of the House of Representatives are adopted pursuant to the Constitution of Maine to assist in carrying out the responsibilities of the House of Representatives. These rules take precedence over the Joint Rules, statutes enacted by a prior Legislature relating to the proceedings of the House and other rules used in Legislative assemblies. These rules govern the proceedings of the House in all matters, subject only to the requirements of the Constitution of Maine.

; and be it further

ORDERED, that the House Rules be amended by adding a new House Rule to read:

Rule 107. Legislation establishing House proceedings statutorily. A member may question the appropriateness of a bill that attempts to establish proceedings of the House in statute. Such legislation may be ruled not properly before the House by the Speaker.

; and be it further

ORDERED, that the House Rules be amended by amending House Rule 507 to read:

Rule 507. Printing and distribution of amendments. An amendment to a bill or resolve may not be acted upon by the House until the same has been printed and distributed to the members under the direction of the Clerk, unless the same bears the recommendation of the Committee on Rules and Business of the House that such printing be dispensed with; and any amendment not so printed or bearing such recommendation must lie on the table until printed or until the Committee has recommended that such printing be dispensed with. All amendments filed with the Clerk for printing must bear the signature of the member filing the same.

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A House amendment that strikes and replaces in total a committee amendment is not properly before the House.

; and be it further

ORDERED, that the House Rules be amended by amending House Rule 517 to read:

Rule 517. Engrossed bills. All engrossed bills and resolves must be committed to the standing Committee on Engrossed Bills to be strictly examined; if found by the committee to be truly and strictly engrossed, the committee shall so report to the House, and the question must be taken without any further reading. The Speaker of the House may order any bill or resolve to be engrossed upon its introduction to the House.

SPONSORED BY: _____
(Representative THOMPSON)

TOWN: Naples

M
R. d. S.

STATE OF MAINE

In House_____

ORDERED, that House Rule 201 be amended to read:

Rule 201. Duties and Powers of the Speaker

1. Duties. The Speaker shall:

A. Take the chair at the hour to which the House has adjourned, call the members to order and, after the appearance of a quorum, cause the journal of the preceding day to be read;

B. Announce the business before the House in the order in which it is to be acted upon;

C. Receive, submit to vote and announce the result of all motions that are in proper order and that arise in the course of proceedings;

C-1. Open and close a roll call vote by setting a timer to start and cease the vote;

D. Enforce the observance of order and decorum;

E. Decide all questions of order within 7 legislative days, subject to an appeal to the House;

F. Receive all messages and other communications and announce them to the House;

G. Authenticate by the Speaker's signature bills that have passed to be enacted and resolves that have finally passed;

H. Name a member to perform the duties of Speaker during the Speaker's absence;

I. Appoint and may rescind the appointments of the following individuals at any time:

(a) The members who are to serve on committees; and

R. & S.

(b) A sergeant-at-arms, an assistant sergeant-at-arms, a document clerk, doorkeepers, a courier and 5 pages;

J. At the commencement of the session, appoint the following standing committees:

- (a) On Leave of Absence;
- (b) On Bills in the Second Reading;
- (c) On Engrossed Bills;
- (d) On Ethics;
- (e) On Elections; and
- (f) On Rules and Business of the House.

Each committee consists of 8 members, except the Committee on Rules and Business of the House, which consists of 3 members and the Speaker ex officio. Each committee shall consider and report on all subjects referred to the committee;

K. Name the person to speak when 2 or more members rise at the same time; in other instances, recognize the member who rises first and addresses the chair;

L. Appoint one monitor for each division of the House; and

M. Decide whether debate is relevant to some definite question under consideration.

2. **Powers.** The Speaker may:

A. Appoint honorary pages;

B. Appoint legal counsel while the Legislature is in session;

C. Address the House on points of order, in preference to other members; and

D. Vote in all cases.

SPONSORED BY: 
(Representative STANWOOD)

TOWN: Southwest Harbor

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STATE OF MAINE

In House _____

ORDERED, that House Rule 510 be amended to read:

Rule 510. Yeas and nays. A call for the yeas and nays is in order at any time before a vote is made certain and declared; except that a call for the yeas and nays is mandatory on any vote on final enactment of a bill.

SPONSORED BY: 
(Representative GLYNN)

TOWN: South Portland