

# MAINE STATE LEGISLATURE

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(Filing No. S-1)

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STATE OF MAINE  
SENATE  
111TH LEGISLATURE  
FIRST REGULAR SESSION

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SENATE AMENDMENT " A " to S.P.1, Joint Order relating to the Joint Rules.

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Amend the Joint Order by striking out in the last line the word and punctuation "Legislature." and inserting in their place the following: 'Legislature, except that Joint Rules 4, 14, 15 to 22, 24, 24-A, 25 and 34 shall be amended to read as follows:

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4. Rejection of Bills. When any measure shall be finally rejected, it shall not be revived except by reconsideration, and no measure containing the same subject matter shall be introduced during the session unless three days' notice is given to the house of which the mover is a member. No measure shall be recalled from the legislative files except by joint order approved by a vote of two-thirds of both houses. No bill or resolve, constitutional resolution, resolution, memorial or order that is finally rejected shall be recalled from the legislative files except by joint order approved by a vote of two-thirds of both Houses.

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14. Reference of Bills to Committee. The Secretary of the Senate and the Clerk of the House shall, after conferring together, suggest an appropriate committee reference for every bill, resolve and petition offered in either House. Upon their agreement, the suggested reference shall be placed upon the calendar of each House. If, however, they are unable to agree, the question of reference shall be referred to a conference of the President of the Senate and the Speaker of the House. Upon their agreement, the suggested reference shall be placed upon the calendar of each House. If, however, they are unable to agree, the question of suggested reference shall be referred to the Legislative Council for resolution. Upon the decision of the Legislative Council, the suggested

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1 reference shall be placed upon the calendar of each  
2 House.

3 When the Legislature is in recess the Clerk of  
4 the House and Secretary of the Senate shall refer the  
5 bills to the appropriate joint standing committee for  
6 public hearing and order printing, subject to the  
7 approval of the Speaker of the House and the Presi-  
8 dent of the Senate.

9 Each suggested reference appearing upon the cal-  
10 endar of each House shall contain a recommendation  
11 for the printing of the document being referred and  
12 may contain a recommendation on the number of copies  
13 of that document to be printed.

14 Any member may move for reconsideration of a com-  
15 mittee reference on the floor. Notwithstanding House  
16 Rule 53, Senate Rule 29 and Joint Rule 9, a majority  
17 vote shall be necessary to overturn the original com-  
18 mittee of reference.

19 15. Reports of Bills from Committee.

20 1. The Joint Standing Committees shall report out  
21 every bill which has been referred to them before the  
22 end of the session in the manner prescribed herein.

23 2. The report of the committee shall include a  
24 recommendation of one of the following: Ought to  
25 Pass, Ought to Pass in New Draft, Ought to Pass as  
26 Amended, Ought Not to Pass, Unanimous Ought Not to  
27 Pass, Leave to Withdraw, Unanimous Leave to Withdraw.

28 3. An Ought to Pass report may be carried by a  
29 plurality of the Joint Standing Committee. A minor-  
30 ity report or reports is required.

31 4. Ought to Pass in New Draft. When a plurality  
32 of a Joint Standing Committee moves to report a bill  
33 out with changes, the bill shall be reported out  
34 Ought to Pass in New Draft. When the vote is not  
35 unanimous, a minority report is required.

36 5. Ought to Pass as Amended. When the changes

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1 voted by the committee are minor and not substantive  
2 the Director of Legislative Research, with the  
3 approval of the President of the Senate and the  
4 Speaker of the House, may prepare the committee  
5 amendment to the bill and the committee report shall  
6 be Ought to Pass as Amended.

7 6. Ought Not to Pass Report. An Ought Not to  
8 Pass Report may be carried by a plurality of the  
9 Joint Standing Committee. A minority report or  
10 reports is required.

11 7. Ought Not to Pass Report. When all 13 members  
12 of a Joint Standing Committee vote to report a bill,  
13 Ought Not to Pass, the bill shall, upon notification  
14 of both Houses, be placed in the legislative file and  
15 disposed of as provided in subsection 10 as pre-  
16 scribed herein.

17 8. Leave to Withdraw. When the sponsor and all  
18 cosponsors request that the committee report a bill  
19 "Leave to Withdraw" and a majority of 7 or more of  
20 the committee concur with the request the Committee  
21 report shall be Leave to Withdraw, a minority report  
22 or reports shall be filed.

23 9. Unanimous Leave to Withdraw. When the sponsor  
24 and all cosponsors request that the committee report  
25 a bill "Leave to Withdraw" and all 13 members of the  
26 Committee concur, the bill shall be reported "Unani-  
27 mous Leave to Withdraw" and the bill shall be placed  
28 in the legislative file and disposed of as provided  
29 in subsection 10 as prescribed herein.

30 10. Two-thirds Required. When a bill or resolve  
31 is placed in the legislative file pursuant to subsec-  
32 tions 7 or 9, no further action shall be taken fol-  
33 lowing such disposition unless the bill or resolve is  
34 recalled for reconsideration by a vote of two-thirds  
35 of both Houses.

36 11. Minority Reports. Accepted minority reports  
37 are Ought to Pass, Ought to Pass in New Draft, Ought  
38 to Pass as Amended or Ought Not to Pass.

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1            12. New Drafts. New drafts printed pursuant to  
2 these rules shall include the legislative document  
3 number that the new bill replaces with the names of  
4 the original sponsor and cosponsors. The Secretary  
5 of the Senate and the Clerk of the House shall deter-  
6 mine the number of copies which shall be printed of  
7 each new draft.

8            ~~15-~~ 16. Joint Select Committees. Joint Select  
9 Committees shall consist of three on the part of the  
10 Senate and seven on the part of the House, unless the  
11 order creating the same shall provide a different  
12 number.

13            Whenever a select committee shall be appointed by  
14 either House and be joined by the other, it shall be  
15 the duty of the Secretary of the Senate, or the Clerk  
16 of the House, as the case may be, to transmit one to  
17 the other the names of the members so joined, in  
18 order that they may be entered upon the journal of  
19 each House.

20            ~~16-~~ 17. Conference Committees. Committees of con-  
21 ference shall consist of three members on the part of  
22 each House, representing its vote, and their report,  
23 agreed to by a majority of each committee or unable  
24 to agree, shall be made within 10 legislative days to  
25 the branch asking the conference, and may be either  
26 accepted or rejected, but no other action shall be  
27 had except through another committee of conference.  
28 If after 10 legislative days no report is made by the  
29 Conference Committee, the President of the Senate and  
30 the Speaker of the House may appoint a new committee.

31            ~~17-~~ 18. Committee Inquiries and Reports. Orders  
32 directing inquiry in relation to an existing statute  
33 shall state the subject matter of such statute and  
34 also the title and section to which the inquiry is  
35 directed.

36            In presenting a report upon any matter referred  
37 to a committee, such report shall set forth the sub-  
38 ject referred, and the substance shall also be  
39 briefly endorsed on the back of the same.

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1 If a committee responds to an order directing  
2 inquiry upon any matter by presenting a report recom-  
3 mending legislation, such legislation shall be intro-  
4 duced when the report is transmitted to the Legis-  
5 lature. Such legislation shall bear the designation  
6 of the committee reporting.

7 ~~18-~~ 19. Committee Study Order Reports.

8 1. Committee study order reports shall be submit-  
9 ted to the Legislature within fourteen days after  
10 convening of the session to which the report is re-  
11 quired.

12 2. Legislation accompanying committee study order  
13 reports shall be submitted to the Director of Legis-  
14 lative Research prior to the convening date of any  
15 session.

16 3. Any committee which finds that it is unable to  
17 comply with the foregoing dates shall submit a writ-  
18 ten request for an extension to the Legislative Coun-  
19 cil at its regularly scheduled meeting next prior to  
20 those dates.

21 ~~19-~~ 20. Reference of Fiscal Matters to Commit-  
22 tees. The several clerks of the committees to which  
23 are referred bills, resolves or orders involving the  
24 appropriation or expenditure of money shall forthwith  
25 upon receipt of such bills transmit a copy thereof,  
26 carrying endorsement of reference, to the Committee  
27 on Appropriations and Financial Affairs for its  
28 information.

29 ~~19A-~~ 20A. Reporting out Errors and  
30 Inconsistencies Legislation. Prior to reporting out  
31 any bill entitled "AN ACT to Correct Errors and  
32 Inconsistencies in the Laws of Maine," the Joint  
33 Standing Committee on Judiciary shall, after giving  
34 notice and an opportunity to be heard, hear proposed  
35 amendments and determine which amendments shall be  
36 included in the bill reported out. No floor amend-  
37 ment shall be entertained in either House unless the  
38 amendment is printed and distributed at least 24  
39 hours prior to introduction.

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1           20- 21. Committee Fiscal Impact Statements. Every  
2 bill or resolve affecting revenue or appropriations  
3 which has a committee recommendation other than  
4 "Ought Not to Pass" shall include a fiscal impact  
5 statement. This statement shall be incorporated in  
6 the bill before it is reported out of committee. The  
7 Office of Legislative Finance shall have sole respon-  
8 sibility for preparing those fiscal notes.

9           21- 22. Reports of Committees. All bills and  
10 resolves referred to committee during any first  
11 regular session shall be reported from committees by  
12 1 p.m. on the last Friday of March or by such later  
13 time as may be fixed by the Legislative Council.

14           22- Committee Ought Not to Pass Reports- Any bill  
15 or resolve which bears a unanimous ought not to pass  
16 notation by the committee to which it has been  
17 referred shall upon notification of such action to  
18 both Houses be placed in the legislative files. No  
19 further action shall be taken following such dispo-  
20 sition unless such bill or resolve is recalled for  
21 reconsideration by a vote of two-thirds of both  
22 Houses-

23           24. Cloture for State Department, Agency or Com-  
24 mission Bills or Resolves.

25           1. No request for a bill or resolve may be sub-  
26 mitted to the Director of Legislative Research on  
27 behalf of any state department, agency or commisison  
28 after the first Wednesday in November preceeding the  
29 convening of the first or second regular session  
30 January. If the Governor has been newly elected in  
31 November preceding the convening of the first regular  
32 session, any bill or resolve introduced on behalf of  
33 a state department, agency or commission shall be  
34 submitted within 30 days after the Governor is admin-  
35 istered the oath of office.

36           2. Each bill or resolve submitted for preparation  
37 under this rule shall clearly designate, under the  
38 title, the department, agency or commission upon  
39 whose behalf the bill or resolve is submitted.

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1           3. Any request for a bill or resolve submitted  
2 under this rule after the first Wednesday in November  
3 January in either the first or second regular session  
4 shall be considered an after cloture request and  
5 shall be transmitted to the Legislative Council by  
6 the Director of Legislative Research. The Legis-  
7 lative Council shall consider the facts supporting  
8 introduction notwithstanding cloture. If two-thirds  
9 of the Legislative Council approve the request for  
10 the bill or resolve, it shall be accepted for intro-  
11 duction. Notice of that action shall appear on the  
12 calendar of the appropriate House.

13           4. For the purposes of introduction, bills or  
14 resolves filed under this rule shall bear the desig-  
15 nation of President of the Senate or Speaker of the  
16 House as presenter, unless a member of the legis-  
17 lature presents or cosponsors that bill or resolve.

18           5. All bills and resolves filed by state  
19 departmenyts, agencies and commissions shall be  
20 introduced in complete final form to the appropriate  
21 House not later than 1:00 p.m. of the 4th Friday fol-  
22 lowing the convening of the session in December.

23           24A. Bills or Resolves Filed on Behalf of the  
24 Governor or Chief Justice. A bill or resolve may be  
25 filed on behalf of the Governor or Chief Justice  
26 under the title of "President of the Senate" or  
27 "Speaker of the House" provided that the bill bears  
28 on its jacket the appropriate designation that the  
29 bill or resolve has been introduced on behalf of the  
30 Governor or Chief Justice.

31           25. Cloture at the First Regular Session. During  
32 any first regular session all other requests for  
33 bills and resolves shall be submitted to the Director  
34 of Legislative Research not later than 1:00 p.m. of  
35 the 2nd last Friday in December following the conven-  
36 ing of the session in January December and such mea-  
37 sures in complete final form shall be introduced into  
38 the appropriate house not later than 1:00 p.m. of the  
39 7th last Friday following in January.



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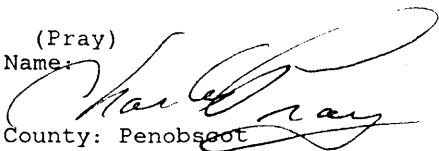
1           Exception. This rule shall not apply to bills or  
2 resolves reported by any joint committee in the  
3 regular course of business, nor to such bills and  
4 resolves as are intended only to facilitate the busi-  
5 ness of the Legislature.

6           34. Expressions of Legislative Sentiment. All  
7 requests for expressions of legislative sentiment  
8 shall be presented in such manner as standardized by  
9 the Legislature.

10           The expressions of legislative sentiment shall  
11 not be part of the permanent journal or the legis-  
12 lative record but shall appear on the printed calen-  
13 dar or advance journal of each body. The Clerk of  
14 the House and Secretary of the Senate shall cause  
15 said expressions to appear in an appendix to the  
16 legislative record. When the Legislature is not in  
17 session the Speaker of the House and the President of  
18 the Senate may authorize expressions of legislative  
19 sentiment at the request of legislative members.'

20           (Pray)

21           Name:



22           County: Penobscot

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