

MAINE STATE LEGISLATURE

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JAMES A. CLAIR
EXECUTIVE DIRECTOR
OF THE LEGISLATIVE COUNCIL



MAINE STATE LEGISLATURE
OFFICE OF THE EXECUTIVE DIRECTOR
LEGISLATIVE COUNCIL

February 28, 2001

TO: Members, Legislative Council

FROM: Jim Clair 

RE: **LEGISLATIVE COUNCIL "RULES OF PROCEDURE": Update Copy**

Please find enclosed a copy of your updated Rules of Procedure. It includes the revisions you recently adopted that establish a Capital Area Advisory Committee and a process for reviewing proposals that affect Capitol Park.

Please call or stop by if you have any questions or would like additional information.

Enclosure

cc: Joy O'Brien, Secretary of the Senate
Pamela Cahill, Assistant Secretary of the Senate
Millicent MacFarland, Clerk of the House
David C. Shiah, Assistant Clerk of the House
Legislative Office Directors

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**MAINE LEGISLATIVE COUNCIL
120th LEGISLATURE**

RULES OF PROCEDURE

**Adopted by the Legislative Council, December 6, 2000;
Revised by the Legislative Council, February 13, 2001**

1. **Organizational meeting:** The President of the Senate shall call the biennial organizational meeting of the Legislative Council into session and preside until the election of the Chair.
2. **Chair:** The Council shall select a Chair, who shall preside at all meetings of the Council when present. The position of Chair must alternate in succeeding biennial sessions between members from the Senate and members from the House.
3. **Vice Chair:** The Council shall select a Vice Chair who shall act as Chair in the absence of the Chair. The Vice Chair may not be a member of the same branch of the Legislature as the Chair.
4. **Quorum:** The Council may not conduct business in the absence of a quorum, which consists of six members. Any action of the Council requires the affirmative votes of not less than 6 members.
5. **Meetings:** The Council's meeting schedule is determined by vote of the Council or by call of the Chair.
6. **Meeting Location:** The official meeting place of the Legislative Council is the Legislative Council Chambers, and the Chair shall convene all meetings there unless a different place is specified in the call of the meeting.
7. **Meeting Notice:** The Chair shall issue written calls for all regular and special meetings of the 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 Council are public except for executive sessions, and the Council shall take all final action at a public meeting.
9. **Council Subcommittees:** The Chair shall name subcommittees of the Council. The subcommittees must consist of at least three members. All subcommittees shall have representation from each of the two major political parties.

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10. **Approval of Step Increases:** All step increases subject to a vote of the 120th Council are approved for the term of this Council. A majority of the Personnel Committee shall give final approval to each increase before it will be effective. No other action is required by the Council unless directed by the Personnel Committee.
11. **Council Records:** The Executive Director of the Legislative Council shall maintain an accurate permanent public record of all meetings and proceedings of the Council.
12. **Order of Business:** The regular order of business of the 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
13. **Statements to the Press:** Only the Council Chair or persons authorized by the Chair may make official statements to the press or to the public on behalf of the Legislative Council.
14. **Rules of Order:** The Chair or Vice Chair 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.
15. **Revision of Rules:** The Council may amend these rules, with the exception of Rule 4, upon a two-thirds vote of the Council members present and voting, provided that the vote to amend is by at least six affirmative votes.
16. **Capital Area Advisory Committee:** The Council establishes a Capital Area Advisory Committee ("Advisory Committee") to: facilitate communication between the Maine Legislature, the City of Augusta and area residents; and advise the Legislative Council on proposed actions relating to Capitol Park. The Advisory Committee is made up of 9 members as follows:
 - a. Two members of the Legislative Council, appointed by the Chair. One member must be a member of the Senate and one member must be a member of the House of Representatives. The members may not be from the same political party;

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- b. The Chair of the State House and Capitol Park Commission or the Chair's designee;
- c. Two legislators whose legislative districts include the City of Augusta or proximate communities, appointed by the Chair;
- d. Two members of the public who reside in the City of Augusta, appointed by the Mayor of Augusta; and
- e. Two members of the public who reside in Kennebec County, appointed by the Chair of the Kennebec County legislative delegation.

Members are appointed for a term coterminous with the Council. At its first meeting, the Advisory Committee shall elect a chair from among its members.

Meetings of the Advisory Committee may be called by the Chair of the Advisory Committee or by a majority of the Advisory Committee. All meetings of the Advisory Committee are public meetings. Notice of meetings must include notice to the Kennebec County legislative delegation and to the Executive Director of the Legislative Council.

17. **Decisions affecting Capitol Park:** Any action affecting Capitol Park, be it a temporary or permanent change or use, must be approved by a majority of the Council, consistent with these rules. Prior to a final decision on any proposal affecting Capitol Park, the Council shall seek the advice and recommendations of the Advisory Committee.