

MAINE STATE LEGISLATURE

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**MAINE LEGISLATIVE COUNCIL
122nd LEGISLATURE**

**RULES OF PROCEDURE
Adopted by the Legislative Council
December 2, 2004**

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.
2. **Chair:** At its organizational meeting, the Council shall elect a Chair, who shall preside at all meetings of the Council when present. The position of Chair must alternate in succeeding biennial sessions between a member from the Senate and a member from the House of Representatives. Therefore, for the 122nd Legislature, the Chair must be a member from the House.
3. **Vice Chair:** The Council shall elect 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 chamber of the Legislature as that of the Chair.
4. **Quorum:** The Council may conduct business only when a quorum of members is present, 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 majority vote of the Council or by call of the Chair for the 122nd Legislature. The Council shall meet at least once per month, on a regularized schedule.
6. **Meeting Location:** The official meeting location of the Legislative Council is the Legislative Council Chamber in the State House, and the Chair shall convene all meetings there unless an alternative location 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 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 Council. The committees must include at least three 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 122nd Legislative Council are approved for the term of this Council if, after review, a majority of the Personnel Committee approves a step increase.

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 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

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

13. **Circulation of Ballots:** The Chair and the Vice Chair, jointly, may authorize a Council member to circulate a ballot for 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. A reasonable effort shall be made to provide each member an opportunity to vote on the ballot. Actions taken by Council ballot must be reported at the next or following regular meeting of the Council.

14. **Roll Call Votes:** Votes requiring a roll-call may 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 Council regarding the introduction of bills or other measures must be by a roll-call vote.

15. **Statements to News Organizations:** Only the Council Chair, executive director or persons specifically authorized by the Chair may make official statements to news organizations or to the public on behalf of the Legislative Council.

16. **Rules of Order:** The 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 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 122nd Legislative Council.
18. **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;
 - 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. The Council Chair shall appoint a chair from among the Advisory Committee 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 written notice to the Kennebec County legislative delegation and to the Executive Director of the Legislative Council.

19. **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 122nd Maine Legislature on December 2, 2004 in Augusta, Maine.

Attested: David E. Boulter
Executive Director, Legislative Council