

# MAINE STATE LEGISLATURE

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## REQUEST FOR PROPOSALS

### FOR LEGISLATIVE PAPERLESS CHAMBER SOFTWARE DEVELOPMENT for the MAINE STATE LEGISLATURE

On behalf of the Maine State Legislature, the Legislative Council is seeking proposals from qualified vendors for the design, development and delivery of software to allow for immediate access to electronic versions of legislative calendars, bills, amendments and other related information by legislators at their desks in the House and Senate chambers using a series of intuitively designed navigational tools that link directly to electronic documents residing on legislative or other servers. The Maine Legislature is committed to enhancing the administrative and economic efficiency of its House and Senate by reducing or eliminating paper documents and allowing access to those documents electronically and in an accurate, consistent and timely manner.

Complete proposal material including specifications of the work to be performed may be obtained by contacting Paul Mayotte via email at [paul.mayotte@legislature.maine.gov](mailto:paul.mayotte@legislature.maine.gov) or by submitting a request in writing to the Office of Legislative Information Services, 100 State House Station, Augusta ME 04333-0100, Attn: Paul Mayotte, Director. It may also be obtained on the Legislature's website at [http://www.maine.gov/legis/execdir/bid\\_opportunities.htm](http://www.maine.gov/legis/execdir/bid_opportunities.htm).

To assist Bidders, there will be a Pre-bid Conference held from 9:00AM to 11:00AM on Thursday, October 4, 2007, in the Legislative Conference Room, Maine State House, 210 State Street in Augusta, Maine. Questions concerning the RFP must be in writing only and directed to Paul Mayotte at the above noted email or address. The deadline for questions is at the conclusion of the pre-bid conference. Responses to all substantive questions will be distributed to all attendees of the pre-bid conference within 5 days following the pre-bid conference.

Proposals shall be made in the format described in the RFP and be made on the letterhead of the bidder. Proposals must conform to the requirements of the RFP. A signed original and 4 copies of the proposal must be in a sealed envelope clearly marked with the bidder's name and return address and labeled: "PROPOSAL: PAPERLESS CHAMBERS SOFTWARE SERVICES" and delivered not later than 2:00PM on Friday, October 19, 2007 to:

Office of the Executive Director  
Room 103, State House  
115 State House Station  
Augusta, ME 04333-0115

Bids received after the date and time specified will not be considered. The Legislative Council reserves the right to waive all formalities and reject any and all bids.



**MAINE STATE LEGISLATURE  
REQUEST FOR PROPOSALS**

for

Software Applications Required for the Implementation of a Paperless Chamber Process in the  
Maine State Senate and the Maine House of Representatives

PROPOSAL DEADLINE:

Friday, October 19, 2007, 2:00 p.m. EDT

The Maine Senate  
The Maine House of Representatives  
Legislative Council  
115 State House Station  
Augusta, ME 04333-0115

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## 1. INTRODUCTION

The 123<sup>rd</sup> Maine Legislature seeks proposals from qualified vendors to design and provide software applications and technical support to its State Senate, House of Representatives and Information Services Office. The selected vendor will design, test and install a computerized Chamber Management System to further automate the business process in each Chamber. The primary goal of this project is the elimination of paper documents in the Chambers by the use of electronic documents. By the elimination of paper documents, the Legislature intends to improve operational efficiency in the Senate and House Chambers by eliminating the time required to distribute paper, avoid the disruption in the Chambers resulting from the ongoing distribution of paper documents, reduce costs by eliminating the printing of documents and to reduce the impact of operations on the natural environment.

This request for proposals describes the functional requirements for the Paperless Chambers Project.

### Proposal Pricing Structure

The Legislative Council requests vendors provide a firm fixed priced cost proposal for their proposed software solution. The proposed solution must provide a non-proprietary software application. The Legislative Council will have full ownership of the software and source code provided by the vendor. The Legislative Council reserves the right to reject any and all RFP responses at its discretion and reserves the right to negotiate with any responding vendor. It is on the Legislative Council's behalf that this Request for Proposal (RFP) has been prepared.

### Business Environment

The Maine Legislature consists of two separate houses: the Senate, which has 35 members and the House of Representatives, which has 151 members and 2 tribal representatives. The legislative term of office for members of both the Senate and the House is two years (biennium). Each Legislator serves on a part-time basis. The Legislature's bipartisan governing board is the Legislative Council

The business process described herein supports, the Senate through the Office of the Secretary of the Senate and the House of Representatives through the Office of the Clerk of the House of Representatives. Both of these offices have distinct functions and responsibilities.

The Senate and House have established formal rules to govern the transaction of business by both chambers and between both chambers. The copies of the Senate Rules of the 123<sup>rd</sup> Legislature (Appendix 1), the Rules of the Maine House of Representatives of the 123<sup>rd</sup> Legislature (Appendix 2) and the 123<sup>rd</sup> Maine Legislature Joint Rules (Appendix 3) are enclosed. Vendors should not assume that any changes to the rules will be made to accommodate the technology recommended by the vendor.

### Technical Environment

The Legislature's computerized information system is administered centrally and is a Microsoft Windows Server environment. The local area network supports 280 desktop devices.

The Legislative Chambers and the Offices of the Secretary of the Senate and the Clerk of the House are supported by proprietary applications developed and maintained by International Roll-Call Corp. (IRC) of Mechanicsville, VA. These applications support chamber floor roll call, bill stamping, bill status, Legislative calendar generation and Legislative Journal and Record generation. If any direct contact with IRC is necessary to prepare a proposal in response to this RFP, it must be arranged through representatives designated by the Maine State Legislative Council.

The desks of Senate and House members are network ready with CAT 5E connections to the local area network. Each desk has electrical power. The chambers are currently supported by an "open" wireless network that is outside of the legislative firewall.

The Legislature uses MS Office 2003 as its standard desktop suite. The legislative developmental environment standards are based on .net, MS-SQL and MS-Windows. Desktop virus protection is provided by centrally administered Symantec<sup>TM</sup> AntiVirus.

The documents used by the Senate and House for Chamber proceedings are produced electronically using existing software applications. As a general statement, these documents are in an MS-Word format and are also available as content on the Legislature's Web page, <http://janus.state.me.us/legis/>. Paper versions of the documents used in the current Chamber operations are attached to this RFP as an appendix.

## Security

Any risk of unauthorized access or alteration of data or document text will severely compromise the usefulness of a computer system in the legislative environment. Security is a primary requirement of this project. Therefore, the proposal must be compatible with Legislative computer security software and protocols.

## Fully Accessible Application

The proposed vendor solution must enable access to electronic information by individuals with disabilities. The appendix includes a copy of the Computer Application Accessibility Guideline.

## 2. SCOPE OF WORK AND SCHEDULE

### SCOPE OF WORK

The vendor will be responsible for delivery of a fully documented and tested solution that completely meets the requirements established by this RFP. This includes delivery of interim design products, final software, development of test plans and training plans associated with the implementation effort, including members using the application, Senate, House and IS operations staff; and the warranty of all delivered products for a specified length of time.

### SCHEDULE

The Legislature is requesting a schedule that supports the use of this application in the chambers starting with the 2<sup>nd</sup> Session of the 123<sup>rd</sup> Legislature in early January 2008. Under this schedule all software would need to be in place and tested in December 2007.

### 3. DEFINITIONS

**Legislative Local Area Network (LAN)** – The Legislature’s controlled access firewall protected hardwired computer network. Member’s desks in both Chambers and Committee Rooms are fully wired for access to the LAN. Member’s access to the LAN needs to be activated and tested.

**Legislative Open Wireless Network** – The Legislature currently provides an open external to the firewall wireless access service for Legislators and the public. Access to this service is campus wide.

**Closed System** – During Legislative Sessions the Senate and House Chamber local area network would be restricted to Chamber activity only. Internet access, email access and instant messaging activity over the network would be disabled. Further, the option would exist to disable the wireless network should the Presiding Officers or Chamber Rules require such action.

The closed system would allow access to external services when the Chambers are not in session.

**Open System** – There would be no limits on Internet access, email access or instant messaging activity at anytime.

**Push** – Custom software to manage the Chamber process by controlling the flow of information to the member’s for immediate display. The push function provides for the electronic distribution of Calendars, Calendar Supplements, LDs, Amendments and other legislative documents at the appropriate time. The application would be controlled by Chamber Staff at the direction of the Presiding Officer. This could be a closed or open system.

**Pull** – Process where members would be required to take action to pull legislative documents to their laptops from a Web page or from a shared file directory. This could a closed or open system.

#### **Documents used in the Chamber Process:**

**Amendment, Committee** – An amendment of a legislative document proposed by all or part of the joint standing committee to which it was referred.

**Amendment, Floor** – An amendment offered to a legislative document by a legislator while the document is on the floor of that legislator’s chamber. A floor amendment is either a Senate amendment or a House amendment.

**Calendar** – The agenda of each chamber is printed daily during the session and is also referred to as the Advance Journal and Calendar.

**Calendar Supplement** – A calendar published subsequent to the daily calendar to add further items to the chambers agenda.

**Communication** – A letter or other written message made to one or both chambers and appearing on the calendar.

**Joint Order** – An order approved jointly by the House and Senate. Typical joint orders include study orders, an order for adjournment, an order to amend the Joint Rules, an order to print additional documents and an order to a committee to report out a bill.

**House Order** – An order related to House business requiring approval by the House

**Senate Order** – An order related to Senate business requiring approval by the Senate

**Sentiment** – An expression of Legislative feeling

**Legislative Document or L.D.** – A legislative measure (bill) in its official printed form that is given a number by the Clerk of the House or the Secretary of the Senate and is referred to as L.D. xxxx.

Report, Committee – A recommendation by a committee that some action be taken on a measure before the committee for consideration by the House and Senate.

Other Documents – On a routine basis, members of both chambers are provided with forms and informational documents.

## 4. DESCRIPTION OF FUNCTIONAL COMPONENTS

The applications developed under this project need to replicate the current paper based process in the Chambers. The goal is to eliminate the use of paper in the Senate and House Chamber processes by replacing paper documents with equivalent electronic documents.

### Push Software

The electronic process will enable the Senate and House Chamber Staff to “push” documents to the member’s desk at the appropriate times during the session.

#### Examples:

An Advance Journal and Calendar item would be pushed to the members’ desks so it would be displayed at the member’s desk in front of any other active screen when deemed appropriate by the Secretary or the Clerk.

When a floor amendment to an L.D. is offered by a member that amendment would be pushed to all the members’ desks at the time the amendment is offered by the member.

When a Calendar Supplement is ready for release that supplement would be pushed to all the members’ desks so it would be displayed at the member’s desk in front of any other active screen when deemed appropriate by the Secretary or the Clerk.

### Pull Software

The electronic process will enable the members of the Senate and House to “pull” documents or other electronic information relating to bills or legislative instruments to the member’s desk at anytime prior to, during and after the session.

#### Examples:

The Advance Journal and Calendar would provide electronic links to the documents identified in the calendar. If L.D. 1234 was on the calendar for reference, members could click on the L.D. and view the text of the L.D. If members were considering a divided report on L.D. 1234, members could click on and view the text of the Committee Report.

Members would have access to the Maine Revised Statutes for research.

The vendor’s application will integrate with IRC Chamber Support Applications or the Legislative Data Repository for access to the appropriate “push” documents.

### Legislator Desktop

The scope of this project is envisioned to provide each legislator with a device for use at their desk in the Senate and House Chambers that best aligns with the selected vendor’s solution.

### Support Infrastructure

The reliability and security of this application is paramount to the mission of the Maine State Legislature. Current Legislative practice is to provide applications and support hardware for the Senate and House that are separate from the other body, but can support both bodies should the application/hardware fail in one of the bodies. The vendor’s proposal should provide for independent operations in each chamber while allowing for the ability to run both Chambers concurrently on a single platform in an emergency.

### Application Management

The vendor’s solution shall provide for the management and control of the paperless process from the front of each chamber. This includes the positions of the Secretary, Clerk, Assistant Secretary, the Assistant Clerk and designated members of the Chamber Staffs.

### Other Documents

The vendor’s solution shall provide for the scanning and storage of “Other Documents” and the electronic distribution push or pull, to the members of each body.

## Warranty and Maintenance

The Legislative Council will require that the delivered products must be warranted for a minimum of one year from the time of final acceptance by the Legislative Council. The vendor will make required changes to correct software defects for the length of the warranty period at no charge.

The vendor shall train Chamber Staff and Information Services personnel in aspects of operation and maintenance of the delivered application.

The vendor shall propose in a separate package a four year maintenance package for the vendor's delivered product.

## 5. PROJECT COMPONENTS

### PLANNING AND APPROVAL

The vendor will provide a schedule of all work to be performed in this project. The schedule a formal project plan including Gantt chart with work breakdown structure and resource assignments, task time and duration with project milestones, and task dependencies for all project deliverables. The plan must include quality review checkpoints, milestones for presentations to the Legislative management project oversight team for review and approval, and change management budget.

The vendor will develop a formal process for evaluation and incorporation of user requested changes. The Office of Information Services must first authorize the vendor to evaluate the impact of the proposed change. Technical changes that the vendor recommends after contract award are not candidates for this change incorporation process.

Formal Quality Review sessions are required; whereby vendor proposals are reviewed for technical and management approval. The vendor will submit technical designs for review and approval by Legislative Information Services staff. This will include database design, text management design, workflow and data/document access design, user interface layouts (screens and reports), migration plan, etc. The vendor's delivery schedule will include appropriate time to conduct all review and approval activities.

The level of involvement of Legislative staff must be clearly identified and scheduled. Test and training plans must be confirmed and validated by the Director, Legislative Information Services.

### PROGRESS REPORTING

The vendor must submit written progress reports weekly which track progress of the work and identify any problems and issues, which may affect the quality, the project schedule, or the project budget. The reports should reflect cost to date and estimate to complete. The final format for these reports will be determined by the Contract Administrator.

The vendor must also be available to participate in progress meetings with the Legislative management project oversight team for the purpose of reviewing the work in progress and raising issues of policy and procedure that may emerge in the course of the work.

The vendor must be available for informational meetings and presentations on a regular basis.

### Fixed Price

The proposal the vendor prepares will represent a firm fixed price.

### Duration of Offer

The proposal the vendor prepares shall include prices that are valid for a period of 120 days after the final submittal deadline date.

### Required Deliverables

In general, it is the expectation of the Maine Legislative Council that this request will attract proposals that describe a complete solution. Specific vendor deliverables of that process, that this RFP describes, will be identified during the contract negotiation process.

Project documentation deliverables will include interim design/development products (diagrams, specifications) and full documentation (system guide, user guide, training manuals, test plans, commented code). A formal acceptance test (that reflects a user perspective of the system) and system test (that reflects a technical perspective of the system) will precede formal approval of vendor deliverables.

All deliverables must be unit tested by the vendor during construction using a formal plan with anticipated results and actual results recorded. Module integration testing should stress the technical aspects of the delivered solution (integration, interfaces, loads, capacity, and throughput, etc.). A formal system test of all applications and interfaces ends the technical acceptance. Next, users will test the delivered integrated system using business criteria organized as a formal acceptance test plan. For phased delivered schemes, these testing requirements should be conducted for all delivery packages.

Maine State Legislature Request for Proposals – Paperless Chamber Process, Sept. 21, 2007

Training involves the training of end users and the training of maintenance/operations staff. The vendor is expected to develop a training environment, all class material for the formal training, explain the use of the User Guide (and for maintenance/operations staff, the System Guide). For maintenance/operations staff, training must be sufficiently complete to allow maintenance of delivered applications.

#### Confidentiality

The vendor agrees that information collected from the Legislature is proprietary and, likewise, the Legislative Council agrees that vendor products will not be released or re-issued for commercial use.

#### Governing Law

The Contract shall be governed in all respects by the laws, statutes, and regulations of the United States of America and of the State of Maine. Any legal proceedings against the Legislature shall be brought in State of Maine administrative or judicial forums.

#### Withholding

The bidder shall include an affirmative statement in the proposal agreeing to a withholding of fifteen percent (15%) of the total contract amount. Withholding will be made on each payment to the selected vendor.

Should the contract be terminated for any reason related to the vendor's failure to perform their duties to the satisfaction of the Legislature, this withholding shall revert to the Legislature.

#### CONTRACTOR PERSONNEL

The vendor must commit dedicated, highly skilled personnel to the Legislature to perform the contracted services. Vendors shall submit the resumes of the vendor personnel for review by the Legislature.

#### INSURANCE

On or before beginning performance under the Contract, the Vendor shall obtain from an insurance company duly authorized to do business in Maine, insurance as follows.

##### Minimum Insurance

The Vendor shall obtain, pay for, and keep in force the following minimum insurance and shall furnish a certificate or certificates evidencing that such insurance is in effect:

- disability, workman's compensation, and unemployment compensation in accordance with the statutory requirements of the Legislature where the work is performed;
- general liability insurance (including automobile and broad form contractual coverage) against bodily injury or death of any person in the amount of one million dollars (\$1,000,000) for any one occurrence; and
- insurance against liability for property damages as well as first-party fire insurance, including contents coverage for all records maintained pursuant to this Contract, in the amount of one million dollars (\$1,000,000).

#### INSPECTION AND APPROVAL

Final inspection and approval of all work required under the Contract shall be performed by the Legislative Council or its designee and other officials that the Legislative Council may so designate.

The Legislature Council or its authorized representatives shall at all reasonable times have the right to enter the premises or such other places where duties under this Contract are being performed, to inspect, monitor or otherwise evaluate the work being performed. All inspections and evaluations shall be performed in such a manner that will not unreasonably delay work.

#### TAXES

**3.2** The Legislature is not required to pay taxes of any nature. However if the Vendor is required to pay sales, use, value-added, or other federal, Legislature, or local taxes based on the licenses or services provided the Legislature will reimburse the vendor. The foregoing shall not apply to any taxes levied on vendor's net income, or property tax.

## PRICE PROTECTION

The Vendor agrees all the prices, terms, warranties, and benefits granted by the Vendor are comparable to or better than the equivalent terms being offered by the Vendor to any present customer for comparable services. If the Vendor shall, during the term of the Contract, enter into arrangements with any other said customer providing greater benefits or more favorable terms for like services, the Vendor shall be obligated to provide the same for the Legislature of Maine. The Contract will be amended to reflect any cost deduction.

## 6. DETAILED REQUIREMENTS

As stated in Section 4, Description of Functional Requirements, the purpose of this project is to eliminate the use of paper in the Senate and House Chamber processes by replacing paper documents used in the formal Chamber process with equivalent electronic documents. Vendors are responsible to develop a complete understanding of the current paper based process to enable them to design an electronic process capable of eliminating paper documents from the Legislative process.

It is not the intent of Senate and House to modify any Chamber processes as a result of replacing paper documents with an electronic process. It is the intent of the Senate and House to replicate the existing processes used in the Chambers using the application to be provided by the selected vendor.

### **Paperless Chamber Application:**

The Paperless Chamber Application will fully support the functions of the Senate and House Chambers replicating the existing paper based operations with electronic based document management functions and providing for operations improvements enabled by technology.

The Paperless Chamber Application should, simply stated, replace paper documents with electronic versions pushed to the member's desktop at the time the paper version would have been distributed to the members. The Paperless Chamber Application provides additional functionality by allowing the members to pull information by selecting links on the Calendar, Calendar Supplements and other documents.

### **Integration points**

The Paperless Chamber Application will be integrated with the existing Chamber Support system. The existing Chamber Support generates paper versions of Calendars, Bills and other documents. Formal rules in both chambers define the process and procedures. This includes the appropriate time when documents are made available to the members. Typically, documents are made available before the Presiding Officer directs the members to the Calendar item to be addressed by the document. That is the time when the item is discussed and action is taken. The Senate Rules, House Rules and Joint Rules are attached in Appendices 1, 2 and 3. A description of the Chamber Support Systems is attached in Appendix 4.

The existing process provides both printed and electronic files in MS-Word 2003 format of the documents produced by the Legislature's production offices to Chamber staff. These documents include Legislative Documents (LDs or bills), Committee Amendments, Floor Amendments, Orders, Sentiments and Resolutions. LDs and amendments are printed and provided to the Legislators in printed form. Samples of these documents are attached in Appendix 5.

The electronic versions of the above documents are released to the "Legislative Data Repository" (LDR) at the appropriate times in the process for access by the automated Chamber support systems. Documents will appear in the LDR, but may not be used in the Chambers for a period of time or may not be used at all. The application is required to manage and process documents that range in size from one page to in excess of one-thousand pages. A description of the LDR is attached in Appendix 6.

The Paperless Chamber application solution will access the existing legislative electronic files for use as the electronic documents in the Chambers.

The Chamber support applications are proprietary applications developed by International Roll-Call Corp., 8346 Old Richford Road, Mechanicsville, VA 23116. Direct contact with IRC, must be coordinated through representatives as designated by the Maine State Legislative Council.

### **Control functions for Chamber staff to manage the process electronically**

Maine State Legislature Request for Proposals – Paperless Chamber Process, Sept. 21, 2007

The Paperless Chamber Project will provide the appropriate controls to allow the Chamber Staffs to manage the electronic process to ensure documents are pushed only at the appropriate times as defined in the rules.

The push process must work without delay to ensure all members receive the information at the same time, immediately after the Chamber Staff executes the push function.

Any automated push process must include a manual override to allow the Chamber Staff to prevent, recall or force a document display.

Any push process must include a recall push function allowing the Chamber Staff to remove a pushed item.

The Advance Journal and Calendar, and Calendar Supplements are the basis for all Chamber activities. Although these documents provide a structure to the process and items appear in sequence, the rules do not require the sequence. The Presiding Officer can and often does take items out of order, and jump between the Calendar and the Supplements. In addition items such as points of order and floor motions do not appear on the Calendar or Supplements but must be dealt with.

The vendor will provide the control function and GUI design options for review as part of the system design process for user review and approval.

#### **Interface with the existing Chamber software applications**

The vendor will develop all interfaces with existing software applications needed for this paperless application.

The Paperless Chamber Project must be integrated into the preparation and release of Calendars and Supplements. The integration must support the use of interactive links allowing members to access (pull) documents by clicking on the document referred to in the calendar. For example a member could click on an amendment and see that document

The Paperless Chamber Project must be integrated with the Chamber Display Board application. In the existing Chamber Support System when a Calendar item is discussed the Calendar entry is displayed on the Chamber Display Board. This is expected to be the primary point of integration between the push function and the existing system. A calendar item may be displayed numerous times for a number of reasons. The Paperless Chamber Project will require intelligence to determine if a push is required. The vendor will provide for converting calendars from MS-Word to an HTML version with links.

#### **Presentation of electronic documents to the members in the same form and format that exist in paper**

Without exception, the electronic documents that are presented on the Legislator's desktop must appear in exactly the same form and format as the printed document.

In addition to the Calendar driven documents less formal handouts are often provided to members. The Paperless Chamber Project must include the ability for Chamber staff to scan paper documents, store the scanned document and push those to the members when necessary. Documents will be both standard and legal size.

#### **Legislator access to Legislative documents (from links on pushed documents via a pull process)**

Documents pushed to the Legislator's desktop such as, but not limited to, a Calendar or Calendar Supplement will allow Legislators to click on links embedded in the pushed document to pull additional information to their desktop. For example, for a Divided Committee Report, Legislators will be able to "pull" the full Committee Report to their desktop.

#### **Printing by Legislators and staff**

Understanding there may be circumstances in which a paper version of a document is needed; the Paperless Chamber Project must allow Legislators and staff to print selected documents.

- **Other functions**

- The application will provide for staff flagging of items and embedding notes for Presiding Officers, Secretary and Clerk use. Examples include notes concerning guests in attendance that will be recognized during or after the item is discussed.
- The application will provide for member flagging of items and embedding of notes for future reference. For example, a member may want to make a note to check some facet of a bill and if their research provides information they wish to share, they may want a reminder to speak to that issue the next time the bill is before the chamber; or the member may want to make a note to notify a constituent when a bill is going to be debated in the House or Senate.
- The application will provide for the distribution of “scripts” to individual members. For example, the Secretary and Clerk or their staff may provide members planning to present an amendment with a script giving them the proper language for each step in the amendment process; or they may provide a script to a member who wishes to object to an item on the Consent Calendar so the member knows exactly when to make his or her objection.
- The application will provide for the option of other uses of the Legislator desktop device while the “push” application is active should the Presiding Officers choose to allow other uses.
- The application will support the ability of Legislative staff to push non-standard documents to members.
- The application will support the ability of Legislative staff to make “pull” information available to members.
- The application will provide system administration and security facilities that include user and group authorization and session maintenance.
- The application will record Chamber activity (document pushed and time).
- The application will have a Voting System interface to identify the pending motion and to indicate when a vote is open.
- It is the intent to install encryption software on the Legislator laptops if laptops are the selected platform for the Paperless Chamber Application. The vendor’s application will function with the selected encryption software.

**System Architecture and Infrastructure:**

Vendors will provide a system architecture and infrastructure for the proposed software solution.

The Legislative Council will provide the necessary legislator computer hardware, server and network infrastructure required by the vendor’s paperless software application. **Vendors will provide a specification for the specific hardware components and software licenses needed by their proposed solution.** It is the intent of the Legislative Council to prepare a separate package for the hardware required by this project.

**Application Performance:**

The application design and construction must support the instantaneous pushing of documents to the members. The design must also provide for the staff control functions to process without delay or time lag.

The computer hardware provided by the Legislature will be of adequate design to support high speed application processing. The vendor’s application will be constructed to provide acceptable performance based on the hardware specified by the vendor.

The network provided by the Legislature will support high speed and high volume network traffic. The vendor is not responsible for performance issues related to the Legislative network unless those issues are related to the design of the vendor's software application or hardware specification.

**Application Dependencies:**

Proposals must identify the method of display and interaction. It is presumed the proposed software solutions will run on a thin-client and server architecture or a PC/laptop/server architecture. However, the Legislature is not limiting bidders to those architectures as long as the requirements and standards are met. Vendors may propose the use of touch screen technology as an interaction process.

Proposals based on a thin-client and server must identify the communication method (such as Citrix).

Proposals based on PC or laptops must function using either Windows XP SP2 or Vista on typical corporate personal computers. Any customization or extraordinary use of PC resources must also be identified. Otherwise, it is assumed that any software provided will behave like most quality off-the-shelf software in a typical corporate PC, namely in reasonable use of system and virtual memory, CPU usage, disk I/O, network bandwidth etc. and not require any special or modified system software.

Proposals dependent upon on off-the-shelf software such as Microsoft Office and Internet Explorer must state the name of the software and whether a particular version is required. Other chamber and office functions within the Legislature use Microsoft Office 2003 SP2 and IE 7.0. The Legislature will not downgrade operating systems or Office versions. Any other software dependencies must be identified. Any software provided under a contract must be certified to operate with the latest release of any Microsoft software, operating system or other software upon which it depends.

**Application Implementation:**

Vendor responses will include an Implementation Plan. Resource sharing between the selected vendor and Legislature will take place to ensure an effective method of knowledge transfer regarding Server and Client configurations and builds and the overall software application.

**Application Testing Requirements:**

As each application component is delivered to the State, functions will be documented and tested using a written test plan, scripts and predefined data. When testing is completed, production operation of the component may begin.

A written Test Plan is required as part of the vendor's RFP response.

Full application testing will begin when the last component release is completed.

The vendors test environment will be a replication of the Augusta production environment.

**Training:**

**The vendor's training proposal shall be priced as a separate line item.**

Vendors will propose a Training Plan that addresses the following:

1. Training Legislative IT staff in the technical functions, administration and maintenance of the application
2. Training Chamber Staff in the operation of the application
3. Phase 1 Legislator Training – Training a “pilot” group of 10 to 20 Legislators in the use of the application
4. Phase 2 Legislator Training – Training the balance of the Legislators (160 to 170 members) not included in Phase 1

Full system documentation sets of the above will be provided with the software. System documentation will occur on a component basis for the IS department. The Legislature intends to use the training documents and system documentation for future training purposes.

**Bidders Conference**

A Bidders Conference will be held on October 4, 2007. Questions concerning this RFP must be directed in writing only (mail, fax or e-mail, but not via telephone) to Paul Mayotte, Director, Office of Information Service, Legislative Council, 100 State House Station, Augusta, ME 04333; e-mail [Paul.Mayotte@legislature.maine.gov](mailto:Paul.Mayotte@legislature.maine.gov); fax (207)287-2557. The deadline for submitting written questions is September 26, 2007. The Legislature will respond in writing to all substantive questions received by September 28, 2007.

## 7. Proposal Format and Submission

The mandatory proposal submission requirements are:

1. Original on paper of the Proposal marked "original," one additional hard copy
2. Two complete, electronic copies on CD. Copy 1 in Microsoft Word, Copy 2 in Adobe PDF)
3. Sealed proposals clearly marked "**Legislative Council - Paperless Chamber Process**" and delivered to:
4. Pages must be numbered consecutively
5. The Proposal is numbered according to the numbering referenced throughout this RFP
6. The Transmittal Letter must be dated and signed in ink by an official authorized to obligate the bidder
7. All Cost information must be fully complete

Failure to meet any of the mandatory proposal requirements may result in the summary rejection of the proposal.

The entire proposal must be submitted by 2:00 p.m. local time on October 10, 2007 to:  
Office of the Executive Director,  
Room 103, Maine State House  
State House Station # 115  
Augusta, Maine 04333

Proposals that arrive late will not be accepted. Regardless of the method of delivery, the face of each envelope, as well as any enclosing boxes must include the following:

1. Name, address, telephone, and fax of the Bidder,
2. Proposal due date;
3. Bid Project Name: "Legislative Council - Paperless Chamber Process";
4. "Confidential-Open by Addressee Only"

Emphasis should be concentrated on conformance to the RFP instructions, responsiveness to requirements, and completeness and clarity of content. Elaborate proposals are neither necessary nor desirable. If the bidder's proposal is presented in a fashion that makes evaluation difficult or overly time-consuming, it is likely that points will be sacrificed in the evaluation process.

**The Proposal must consist of seven parts.**

1. Section I must be a Transmittal Letter signed by an individual authorized to legally bind the bidder.
2. Section II must be the Executive Summary describing the Corporate Background, Experience and Qualification.
3. Section III must condense and highlight the contents of the proposal to provide the Selection Committee with a broad understanding of the bidder's proposal and how the proposal will satisfy the state's requirement.
4. Section IV must contain the Detailed Project Plan and describe a work plan and schedule of the activities required to accomplish the scope or work.

5. Section V must be the Project Management Plan and describe the Provider's approach to project management and the project's special considerations.
6. Section VI must be the Project Staffing Plan which will show the project team organization and the descriptions and function to be performed by each position.
7. Section VII is the Cost Summary section. The bidder must provide a fixed price breakdown of prices in three areas: (a) system development and implementation; (b) post-implementation support services for up to four additional years; and (c) future enhancements.

The Legislative Council reserves the right to reject proposals that contain material deviations from the requirements of this RFP. It is understood that all proposals, whether rejected or not, will become part of the Legislative Council's official file.

The Legislative Council reserves the right to amend the RFP prior to the proposal due date. All bidders who received a copy of the RFP from the Legislative Council will be notified in writing of any amendments to the RFP a minimum of seven (7) days prior to the due date. Should an amendment be issued with fewer than seven (7) days remaining prior to the date, the due date may be extended.

#### **Rights of Maine State Legislature**

This RFP does not commit the Legislative Council to award an agreement, or pay any cost incurred in the preparation of a proposal for this RFP. The Legislative Council reserves the right to reject all proposals, and at its discretion may cancel or amend this RFP at any time. By submitting a proposal in response to this RFP, the bidder grants to the Legislative Council the right to contact or arrange a visit in person with any or all of the bidder's clients.

#### **Notification of Bidder Selection**

All bidders will be notified in writing after the selection of a successful bidder.

#### **Evaluation of Proposals and Agreement Award**

The Legislative Council will select a provider through a formal evaluation process, as outlined in this section. Consideration will be given to capabilities or advantages that are clearly described in the proposal, confirmed by oral presentations or interviews if requested, and verified by information from reference sources contacted by the Legislative Council. The Legislative Council reserves the right to contact individuals, entities or organizations who have had recent dealings with the firm or staff proposed whether they are identified as references or not.

#### **Evaluation Factors and Award Points**

An Evaluation Committee will evaluate the proposal responses. The selection of a provider will be based on considerations from all phases of the evaluation process. Where items do not lend themselves to a strict numerical evaluation, a subjective rating based on the collective opinion and experience of the selection committee will be used.

#### **Initial Screening**

Initial Screening will consist of the review of proposal compliance with the mandatory proposal submission requirements of this RFP. Unresponsive proposals will not be considered.

Those proposals that pass the Initial Screening will be evaluated on their abilities to meet the requirements identified in this RFP. The Proposal evaluation will consist of five (5) areas totaling 100 points. The available points will be distributed as follows.

#### **Evaluation Criteria Points**

1. Overview, including demonstrating a clear understanding of the goal of the project  
*Proposal Section(s) Considered in Evaluation: Section III - Understanding of Requirements*

10 points

2. Bidder Qualifications, including corporate background, experience with similar projects, demonstrated past performance and project staff qualifications

*Proposal Section(s) Considered in Evaluation:*

*Section II – Executive Summary*

20 points

3. Product Design, including the ability to deliver the required functionality and timeline for deliverables

*Proposal Section(s) Considered in Evaluation:*

*Section IV – Detailed Project Plan*

25 points

4. Project Implementation, including communication and project management plan, project staffing plan, and quality assurance project plans

*Proposal Section(s) Considered in Evaluation:*

*Section V – Project Management Plan*

*Section VI – Project Staffing Plan*

20 points

5. Cost Evaluation

*Proposal Section(s) Considered in Evaluation:*

*Section VII – Cost Summary*

25 Points

**TOTAL 100 points**

#### **Agreement Award**

The Legislative Council reserves the right to reject any and all RFP responses at its discretion and reserves the right to confer with all responding vendors.

The Legislative Council evaluation will result in the selection of a proposal which, taken as a whole, is of best value to the Legislative Council. After analysis, valuation and validation of bidder responses, the Legislative Council will notify all bidders in writing concerning the selection. The Legislative Council may require the selected bidder to participate in agreement negotiations and to submit such price, technical or other revisions to their proposal as may result from said negotiations. Upon resolution of the final negotiations, the Legislative Council will prepare a final agreement and award.

It is to be understood by all parties that the negotiated agreement will be made in the best interest of the Legislative Council and that the award decision will be final. The RFP and the proposal of the successful bidder will, at the Legislative Council option, be incorporated into and form the basis of a legal agreement.

#### **Required Agreement Provisions**

There are certain requirements, established by the Legislative Council, with respect to proposals submitted in response to this RFP. The words “shall”, “must”, and “will” (except when used to denote futurity) will be considered as indicative of a requirement in this RFP. Such requirements are to be considered as material to this procurement and may only be waived, in advance of the proposal, by the Legislative Council’s Project Manager in writing.

#### **Financial Stability and Capacity**

Evidence of adequate financial stability and capacity is a prerequisite to the award of an agreement. Bidders must include in their Executive Summary financial documentation to establish their financial stability. This documentation must be submitted in accordance with the requirements of Section 3.2 of this RFP. The Legislative Council reserves the right to request any additional information to assure itself of a bidder's financial status.

Maine State Legislature Request for Proposals – Paperless Chamber Process, Sept. 21, 2007

# MAINE STATE LEGISLATURE

## REQUEST FOR PROPOSALS

for

Software Applications Required for the Implementation of a Paperless Chamber Process in the  
Maine State Senate and the Maine House of Representatives

### Appendices

Appendix 1 – Senate Rules

Appendix 2 – House Rules

Appendix 3 – Joint Rules

Appendix 4 – Chamber Support Systems

Appendix 5 – Document Samples \*\*

Appendix 6 – Legislative Data Repository (LDR)

Appendix 7 – ADA Compliance

\*\*Vendors are encouraged to visit the Maine State Legislature's Web pages(<http://www.maine.gov/legis/senate/> , <http://janus.state.me.us/house/> and <http://janus.state.me.us/legis/>) to access additional examples of Legislative documents.

**SENATE RULES OF THE 123rd LEGISLATURE**

**Rev. 12/06/06**

**Part 1**

**General Provisions**

**Rule 101. Title of Senator.** The President, when speaking to any member of the Senate, and the members, when referring to each other in debate, shall use in their addresses the title of Senator, and by way of distinction name the county in which the Senator resides.

**Rule 102. Lobbyists banned from member's desk.** At no time may a registered lobbyist be at the desk of any member. A registered lobbyist may not directly initiate communication with any member in the Senate chamber while the Senate is in order, except that a registered lobbyist may send a note to a member through the Senate chamber staff requesting that the member meet with the lobbyist at the back row of chairs in the Senate.

**Rule 103. Election of Senate Officers.**

1. **Officers of Senate.** The Senate shall elect the officers of the Senate: the President, the Secretary and the Assistant Secretary.

**Part 2**

**President and President Pro Tempore**

**Rule 201. Duties and powers of the President.** The President shall:

1. **Take the chair; reading of journal.** Take the chair at the time to which the Senate has adjourned and, after the appearance of a quorum, cause the journal of the preceding day to be read;

2. **Address the Senate.** Address the Senate when speaking;

3. **Appointments.** Appoint all committees, a Sergeant-at-Arms, an Assistant Sergeant-at-Arms, a President Pro Tempore to perform the duties of the Chair during the President's absence and chamber staff, unless the Senate otherwise directs. Name a Senator to perform the duties of the President when the President Pro Tempore is absent. The President may rescind these appointments at any time;

4. **Authenticate enacted bills and resolves finally passed.** Authenticate by the President's signature bills that have passed to be enacted and resolves that have finally passed;

Paperless Chamber Request for Proposals  
Appendix 1 – Senate Rules

**5. Bills in Second Reading & Engrossed Bills.** Appoint the Committee on Bills in the Second Reading and the Committee on Engrossed Bills. Each committee consists of 4 members. Any one member of either committee constitutes a quorum of that committee. The Revisor of Statutes is the clerk of the Committee on Bills in the Second Reading

**6. Committee on Conduct & Ethics.** Appoint a Committee on Conduct and Ethics, which is comprised of 5 members.

**7. Enforce order and decorum.** Enforce the observance of order and decorum;

**8. Decide questions of order.** Decide questions of order without debate within 7 legislative days;

**9. Questions and declaration of votes.** Rise to put a question and declare all votes, but if any Senator doubts the vote, all those voting in the affirmative, when called upon by the President, shall indicate electronically how they wish to be recorded or rise and stand until they are counted, and also those in the negative, in like manner, as directed by the President, to make the vote certain;

**10. Vote.** Vote in all cases, unless excluded by interest;

**11. Appoint legal counsel.** Appoint legal counsel;

**12. Make appointments required by law.** Make appointments as required by law;

**13. Appoint Temporary Secretary and Assistant Secretary.** Appoint a temporary Secretary of Senate and a temporary Assistant Secretary of the Senate to fill any vacancy that may occur in those offices while the legislature is not in session and to serve until the Senate elects a Secretary or Assistant Secretary.

**Rule 202. Duties of the President Pro Tempore.** The President Pro Tempore shall:

**1. Preside over the Senate.** Preside at the time to which the Senate has adjourned when the President is absent;

**2. President assumes office of Governor.** When the President assumes the office of Governor, exercise the powers and duties of the office of President until the vacancy in the Senate created by the President's succession to the office of Governor is filled, the Senator so elected is seated and a President is elected.

**Part 3**  
**Secretary**

**Rule 301. Duties of the Secretary.** The Secretary shall:

1. **Presiding officer.** Preside until a President Pro Tempore is chosen when the President and President Pro Tempore are absent.
2. **Numbering of bills and resolves.** Number any bills and resolves in the order in which they are reported by the Committee on Bills in the Second Reading, and enter them upon the calendar in that order;
3. **Messages.** Carry all messages from the Senate to the House and to the Governor unless the Senate directs some other mode of transmission. All papers must be transmitted to the Governor, the House, and the Secretary of State under the direction of the Secretary or the Assistant Secretary;
4. **Senate order or joint order.** Forward a copy of each Senate order or joint order requiring action by any department, bureau, commission, board or agency of the State that is passed by both chambers of the Legislature to the department, bureau, commission, board or agency immediately after the adjournment of the legislative day in which the order was passed by the concurring chamber of the Legislature;
5. **Questions of order.** Enter on the journal the decision on a question of order; and
6. **Appoint Staff.** The Secretary is authorized to appoint sufficient staff to attend to the duties of the office of the secretary of the Senate and the proper operation of the Senate. Appointment may be rescinded at any time
7. **Salary and benefits of Senate employees.** Certify vouchers of the officers and employees of the Senate to the Executive Director of the Legislative Council.

Salary and benefit information regarding Senate employees is public information and when requested must be provided within a reasonable time by the Secretary of the Senate.

**Rule 302. Duties of the Assistant Secretary of the Senate.** The Assistant Secretary works under the direction of the Secretary. The Assistant Secretary of

the Senate shall perform the duties of the Secretary when the Secretary is not present at a legislative session and assist in the management of the Secretary's office.

#### **Part 4 Members**

**Rule 401. Rights and duties of members.** Members of the Senate have the following rights and duties.

1. **Member may not speak.** A Senator may not address the Senate until recognized by the President. When a Senator speaks, the Senator shall stand in the Senator's place and address the President.

2. **Speak more than 3 times.** If there is objection, a Senator may not speak more than once on a question to the exclusion of any other Senator without leave of the Senate. If the Senator is the mover of the matter under debate, then the Senator may speak 3 times without leave.

3. **Duty to vote.** Every Senator who is present shall vote unless excused by the Senate, or excluded by interest. The President may excuse from voting members who are absent from the chamber to conduct legislative business or for other extraordinary occasions.

4. **Roll call.** Once the Secretary of the Senate commences with a roll call, all Senators must remain seated until the vote has been announced.

5. **Question put to vote.** A Senator may not speak on a question after it is put to vote.

6. **Pairing of votes.** A member who is absent by leave of the presiding officer and who has notified the presiding officer of the member's intent to pair the member's vote may join in voting for or against a measure with another member present at the time of the vote who stands on the opposite side of the question, provided that the absent member has submitted in writing the request for pairing and has received approval in writing by the President. The vote of the absent member and the member with whom that member is paired does not become part of the total number of votes causing passage or rejection of the measure.

7. **Present bill.** Members or members-elect who present a bill, resolve or a petition shall place their signatures on the bill, resolve or petition and a brief descriptive title of its contents.

8. **Exchange seats.** Members of the Senate may exchange seats with permission of the President.

9. **Absent from Senate.** A member may not be absent from the Senate without leave, unless there is a quorum left present.

10. **Paid representative.** A member of the Senate may not act as a paid representative for any party before the Legislature or any legislative committee.

## **Part 5 Proceedings and Debates**

**Rule 501. Motion to adjourn.** A motion to adjourn must always be first in order, and it must be decided without debate.

**Rule 502. Motions and concurrence.** The following rules apply to motions and questions of concurrence with the House.

A. When a question is under debate, a motion may not be received except a motion:

- (1) To adjourn;
- (2) To reconsider;
- (3) To lay on the table;
- (4) To commit;
- (5) To amend; or
- (6) To postpone indefinitely.

These motions have precedence in the order in which they are arranged.

Questions of concurrence or otherwise with the House have precedence over each other in the following order:

- 1<sup>st</sup>. To recede;
- 2<sup>nd</sup>. To concur;
- 3<sup>rd</sup>. To insist; or
- 4<sup>th</sup>. To adhere.

**Rule 503. Consideration of motion.** A motion must be reduced to writing, if desired by the President or any Senator, and is then considered to be in possession of the Senate, to be disposed of by the Senate, but the mover may withdraw it at any time before a decision or any amendment is made to it.

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**Rule 504. Germaneness.** An amendment must be germane to the proposition under consideration. An amendment proposing to establish a general provision of law upon a private and special bill or beyond the second degree is not in order.

**Rule 505. Printing and distribution of amendments.** An amendment to a bill or resolve may not be acted upon by the Senate until the same has been printed and distributed to the members under the direction of the Secretary of the Senate, unless the amendment bears the recommendation of the Committee on Bills in the Second Reading that the printing be dispensed with. All amendments filed with the Secretary of the Senate for printing must bear the signature of the member filing the amendment.

**Rule 506. Reconsideration.** A proposed amendment may be amended before it is adopted, but not afterwards, unless the vote adopting it is first reconsidered.

When a motion has been made and carried in the affirmative or negative, it is in order for any member of the Senate who voted with the prevailing side, or in the negative on a tie vote, to move to reconsider on the same or succeeding day. A motion to reconsider may not be tabled unassigned. When a motion for reconsideration has been decided, the vote may not be reconsidered. A motion to reconsider is not in order more than once on the same question. Notwithstanding the provisions of this rule, any member may move for reconsideration of a committee reference on the floor. A majority vote is necessary to overturn the original committee of reference.

When a member of the Senate moves or gives notice of intention to move a reconsideration of any vote, the papers to which the motion relates remain in possession of the Secretary until the question of reconsideration has been decided, or the right to move the question is lost. All matters acted upon must be held in the Senate for at least 30 minutes after adjournment unless sent forthwith or held for reconsideration by a member.

A motion to reconsider takes precedence over all other questions except a motion to adjourn. However, if a motion to reconsider is made while another question is pending, the motion to reconsider may only be entered and may not be put until the other question is disposed of.

**Rule 507. Questions of order.** If an appeal of a decision of the President on a question of order is taken, the question of order may be debated like other questions.

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**Rule 508. Question divided.** A question containing 2 or more propositions capable of division must be divided whenever desired by any member.

**Rule 509. Papers read once.** Every paper must be read once at the table before any Senator is obliged to vote on the paper. If a Senator objects to a reading of a paper that has already been read to the Senate, the Senate must determine the question.

**Rule 510. Second reading.** All bills and resolves in their second reading must be committed to the Committee on Bills in the Second Reading to be examined and corrected.

After the Committee on Bills in the Second Reading has reported to the Senate that its examination and correction of a bill or resolve has been completed and that bill or resolve has been read by the Secretary, any member of the Senate may request that the bill or resolve be read and considered by paragraphs. This request may only be made before the question is put on passage of that bill or resolve. A bill or resolve may not have a second reading unless a time not less than one hour after the first reading is assigned for the second reading.

A resolve of any kind, or an order making any grant of money, lands, or other public property may not be passed without being read on 2 several days; the time for the second reading must be assigned by the Senate.

**Rule 511. Enactment of engrossed bills.** A bill or resolve may not pass to be engrossed until the bill or resolve has had 2 readings. All bills and resolves, immediately after being engrossed, must be committed to the Committee on Engrossed Bills to be examined; if found by the committee to be truly and strictly engrossed, and before any bill is passed to be enacted or any resolve is finally passed, the title of the bill or resolve must be read. The President of the Senate may order any bill or resolve to be engrossed upon its introduction to the Senate.

**Rule 512. Order of business.** After the reading of the journal, the following is the order of business:

1<sup>st</sup>. House Papers. House papers;

2<sup>nd</sup>. Messages and documents. Messages and documents from the Governor, heads of departments and others;

3<sup>rd</sup>. Documents requiring reference to committee. Reception of petitions, bills and resolves requiring reference to any committee;

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4<sup>th</sup>. Orders. Orders;

5<sup>th</sup>. Reports of Committees. Reports of committees;

6<sup>th</sup>. Second readings. Bills and resolves reported by the Committee on Bills in the Second Reading;

7<sup>th</sup>. Bills and resolves; enactment or passage. Bills on their passage to be enacted, and resolves on their final passage; and

8<sup>th</sup>. Orders of the day. Orders of the day.

**Rule 513. Calendar.** Bills and resolves are taken up for their second reading and passage to be engrossed, or other disposition, in the order that they stand on the calendar. If a bill or resolve, after it is put on the calendar, is laid on the table, and no time is assigned for its further consideration, then the bill or resolve must go to the foot of the calendar. Papers from the House, concerning which there has been a disagreeing vote of the 2 chambers, must be disposed of before commencing with the calendar. This rule does not apply to or interfere with motions to reconsider, or special assignments or other privileged questions.

**Rule 514. Transact business.** Business may not be transacted after the hour of 9:00 p.m. without the affirmative vote of a majority of the members present and voting.

**Rule 515. Roll call.** A roll call must close no more than 30 minutes after the call was commenced. When the yeas and nays are taken, the names of the Senators must be called alphabetically.

A roll call may be requested while the result of a division is being announced.

**Rule 516. Unfinished business.** The business that was unfinished in the Senate at the time of the last adjournment has precedence in the orders of the day.

**Rule 517. Notice to Senate.** The President shall give the Senate notice before an engrossed bill or resolve may be sent to the House.

**Rule 518. Dispensation of rule or order.** A rule or order may not be dispensed with, except by the consent of 2/3 of the members present.

**Rule 519. Amendment, adoption or repeal of rule.** Notwithstanding Rule 518, after the convening of a first regular session and before the 3rd Friday in January, any amendment to the Senate Rules proposed by a Senate order may be adopted by a majority vote of the members present, except that if the amendment has

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already failed to be adopted during that session, it may be adopted only if, upon reconsideration, it receives the approval of 2/3 of the members present.

**Rule 520. Rules of parliamentary practice.** The rules of parliamentary practice comprised in "Mason's Manual of Legislative Procedure" or any other standard authority, govern the Senate in all cases in which they are applicable and in which they are not inconsistent with the standing rules of the Senate or of the joint rules of the 2 chambers.

**Rule 521. Impeachment.** Prior to final action by the Senate on any paper initiating any impeachment proceeding under the Constitution of Maine, Article IV, Part First, Section 8; Article IV, Part Second, Section 7; and Article IX, Section 5, and prior to final action by the Senate on any paper initiating any address proceeding under the Constitution of Maine, Article IX, Section 5, the Secretary of State shall furnish members of the Senate with copies of the 1986 report to the 112<sup>th</sup> Legislature on impeachment and address.

**Rule 522. Committee of the whole.** The Senate may at any time, upon motion, by a vote of a majority of the members present, resolve itself into a committee of the whole for the purpose of considering any subject named in the motion. The President shall appoint a chair. If a message is announced while the Senate is in this committee, the President shall resume the chair for the purpose of receiving the message; immediately after which the committee shall proceed, until dissolved in the usual manner.

**Rule 523. Line-item veto.** When a bill or resolve is returned by the Governor with any dollar amount disapproved pursuant to the Governor's line-item veto power, the Senate shall act upon the disapproved item or items within 5 calendar days, excepting Sundays, of receiving the bill or resolve from the Governor or within the remaining balance of time available after receiving the bill or resolve from the House.

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# THE RULES OF THE MAINE HOUSE OF REPRESENTATIVES OF THE 123rd LEGISLATURE

Revised January 16, 2007

## 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.

## PART 1 - GENERAL PROVISIONS

**Rule 101. Chaplains.** Every morning the House on assembling shall join with the Chaplains in religious service. On the first legislative day of each week, the National Anthem must follow the religious service. Every morning the House after assembling shall recite the pledge of allegiance.

**Rule 102. Monitors.** A monitor shall see to the observance of the rules of the House. If any member violates any of the rules of the House and persists in violating the rules after being notified of the violation by any monitor, the monitor shall give information of the violation to the House.

**Rule 103. Vacancy in the office of Clerk or Assistant Clerk.** A Clerk or Assistant Clerk is either appointed or elected in the following circumstances.

- A. In the case of a vacancy in the office of Clerk:
  - (1) When the Legislature is in session, the House elects a clerk; or
  - (2) When the Legislature is not in session, the Assistant Clerk is Clerk pro tempore to serve until the Legislature is in session and elects a Clerk.
- B. In the case of a vacancy in the office of Assistant Clerk:
  - (1) When the Legislature is in session, the House elects an Assistant Clerk; or
  - (2) When the Legislature is not in session, the Speaker shall appoint an Assistant Clerk to serve until the Legislature is in session and elects an Assistant Clerk.
- C. In the case of a vacancy in the offices of the Clerk and Assistant Clerk:
  - (1) When the Legislature is in session, the House elects a Clerk and Assistant Clerk; or

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Appendix 2 – House Rules

- (2) When the Legislature is not in session, the Speaker shall appoint a Clerk and Assistant Clerk to serve until the Legislature is in session and elects a Clerk and Assistant Clerk.

**Rule 104. Partisan staff.** The floor leaders shall appoint partisan staff with staffing patterns determined by House leadership.

**Rule 105. Lobbyists banned from House floor.** One-half hour before the beginning of any regularly scheduled session, registered lobbyists are banned from the floor of the House of Representatives.

**Rule 106. Admission to Representatives' hall.** Only a member or officer of the House, a member of the Senate, the Secretary of the Senate, the Assistant Secretary of the Senate, the Governor, heads of state departments and bureaus, Justices of the Supreme Judicial Court, Chaplains of the Senate and reporters of the proceedings and debates of the House may be admitted within the Representatives' hall, unless invited by some member of the House. While the House is in session, only members and officers of the House and officers of the Senate on official business are admitted inside the rail, except members of the press, who shall occupy places at the press table, and guests of the Speaker.

**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.**

## PART 2 - SPEAKER

### 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;
- 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:

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

### **PART 3 - CLERK**

**Rule 301. Duties of the Clerk.** The Clerk shall:

- **1. Journal.** Keep a journal of what is done by the House;
- **2. Read papers.** Read papers when required by the House or Speaker;
- **3. Note answers of members.** Note the answers of members when the House orders or when a question is taken by yeas and nays;
- **4. Notify members of committee appointments.** Notify members of their committee appointments and of the business referred to committees;
- **5. Authenticate by Clerk's signature.** Authenticate by the Clerk's signature all the orders and proceedings of the House not authenticated by the Speaker;
- **6. Responsible for documents.** Have responsibility for all the documents and papers of every kind confided to the care of the House;
- **7. Transmit messages and papers.** Transmit all messages and papers from the House to the Governor or to the Senate;
- **8. Preside in Speaker's absence.** Preside in the case of the absence of the Speaker or Speaker pro tempore at the hour for meeting, until a Speaker pro tempore is chosen;

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- **9. File papers and documents.** File in an orderly manner at the close of the session all papers and documents in possession of the House that were passed upon or received during the session;
- **10. Preside at commencement of next Legislature.** Preside at the commencement of the next Legislature until the election of the Speaker;
- **11. Record House business.** Record what is done by the House until a new Clerk is chosen and qualified;
- **12. Prepare daily calendar.** Prepare a daily calendar of bills, resolves and other papers assigned for that day's consideration, bills and resolves that have had their first reading, showing the disposition of each, and orders presented to the Clerk by members;
- **13. Enter questions on journal.** Enter every question of order that is decided on appeal on the journal of the House with the decision of every question. The journal must include all rulings of the Chair; and
- **14. Payroll of House Employees.** Certify vouchers of the officers and employees of the House for proper payment.

## PART 4 - MEMBERS

**Rule 401. Rights and duties of members.** Members of the House have the following rights and duties.

- **1. Member's seat.** The seat a member draws at the commencement of the session is that member's during the session, unless the member has leave of the Speaker to change it. No other person may occupy a member's seat at any time during a session of the House.
- **2. Pairing of votes.** A member may not pair that member's vote with the vote of another member.
- **3. Sit at Speaker's or Clerk's desk.** A member may not sit at the desk of the Speaker or Clerk, except by the permission of the Speaker.
- **4. Member may not speak.** A member may not speak without first rising and addressing the Speaker and being recognized, and a member may not speak while away from that member's seat without leave from the Speaker. A member shall sit down as soon as the member is done speaking.
- **5. Debate.** A member shall limit debate to that which is relevant to some definite question under consideration.
- **6. May not interrupt.** A member may not interrupt another member while the other is speaking, except to call to order or correct a mistake. A member may not stand up to the interruption of another while any member is speaking, pass unnecessarily between the Speaker of the House and the person speaking, stand in an aisle or sit or stand covered during the session of the House.
- **7. Speak more than twice.** A member may not speak more than twice to the same question without first asking leave of the House. Any other member objecting to that member speaking more than twice to the same question must stand and be recognized by the Speaker of the House and the objection must be noted.
- **8. Counsel.** A member may not act as counsel for any party before a joint committee of the Legislature or a committee of the House.

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- **9. Leave of absence.** A member may not be absent more than 2 days without leave of the House; and a member may not have such a leave, unless it is reported by the Committee on Leave of Absence.
- **10. Papers.** Any member having obtained leave of absence shall leave any papers relating to the business before the House with the Clerk.
- **11. Breach of rules.** When any member is guilty of a breach of any of the rules and orders of the House and the House has determined that the member has violated a rule or order, that member may not be allowed to vote or speak, unless by way of excuse for the breach, until the member has made satisfaction.
- **12. Voting.** A member who is in the House when a question is put shall vote, unless the presiding officer for reasons excuses that member. When yeas and nays are ordered, a member may not leave the member's seat until the vote is declared. A call for yeas and nays must close no more than 30 minutes after a roll call is commenced. In all elections by the House, or on joint ballot of the Chambers, a member may not leave the member's seat after voting, before a return of the House is had. A member may not vote on any question before the House when that question immediately involves that member's private right as distinct from the public interest.
- **13. Sponsor obtains signatures.** A bill or resolve in final form that is ready for signature whose primary sponsor is a member of the House may be circulated for signatures only by the sponsor or cosponsors of that bill or resolve, except that legislation presented by a department, state agency or the Governor may be circulated by agents of the department, the state agency or the Governor. This does not preclude a bill or a resolve from being held for signature in the Office of the Speaker of the House, the offices of the minority or majority party or the Office of the Revisor of Statutes.

## **PART 5 - PROCEEDINGS AND DEBATES**

**Rule 501. Order of business.** After reading of the journal, the following is the order of business:

- 1st. Senate papers;
- 2nd. Messages and documents from the Senate, the executive, heads of departments and others;
- 3rd. Reception of petitions, bills and resolves requiring reference to any committee;
- 4th. Orders;
- 5th. Expressions of legislative sentiment - Special sentiment calendar;
- 6th. Reports of committees and first reading of accompanying bills and resolves;
- 7th. Consent calendar - First Day;
- 8th. Consent calendar - Second Day;
- 9th. Bills and resolves reported by the Committee on Bills in the Second Reading and on their passage to be engrossed;
- 10th. Bills on their passage to be enacted; and
- 11th. Orders of the day.

A paper may not be taken up out of its regular order. Business may not be transacted in the House after the hour of 9:00 p.m.

**Rule 502. Unfinished business.** The unfinished business of the House at the time of the last adjournment has preference in the orders of the day and continues to be among the orders of the day for each succeeding day until action on it is completed.

**Rule 503. Motions and concurrence.** The following rules apply to motions and questions of concurrence with the Senate.

- A. When a question is under debate, a motion may not be received, except a motion:
  - 1st. To adjourn;
  - 2nd. To table unassigned;
  - 3rd. For the previous question;
  - 4th. To commit;
  - 5th. To table to a day certain;
  - 6th. To amend; or
  - 7th. To postpone indefinitely.

These motions have precedence in the order in which they are arranged. A motion to adjourn must be decided without debate.

- B. Questions of concurrence with the Senate have precedence in the following order:
  - 1st. To recede;
  - 2nd. To concur;
  - 3rd. To insist; or
  - 4th. To adhere.

**Rule 504. Previous question.** When a motion for the previous question is made, the consent of one third of the members present is necessary to authorize the Speaker to entertain the motion. Debate is not allowed until the matter of consent is determined. The previous question must be submitted in the following words: Shall the main question be put now? A member may not speak more than 5 minutes on the motion for the previous question. A call for the yeas and nays or for division of a question is in order after the main question has been ordered to be put. After the adoption of the previous question, the vote must be taken upon amendments and then upon the main question.

**Rule 505. Consideration of business.** In filling blanks and assigning times for the consideration of business, the longest time must be put first.

**Rule 506. Germane amendments.** An amendment must be germane to the proposition under consideration.

**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

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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.

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

**Rule 508. Withdrawal of motion, order or amendment.** A motion, order or amendment may be withdrawn by a sponsor only prior to a vote, except that a motion to reconsider may be withdrawn only with consent of the House.

**Rule 509. Process when declared vote doubted.** When a vote declared by the Speaker is doubted, the members for and against the question, when called on by the Speaker, shall vote again without further debate.

**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.

**Rule 511. Motion to reconsider.** When a motion has been made and carried in the affirmative or negative, it is in order for any member who voted with the prevailing side, or in the negative on a tie vote, to move to reconsider on the same or succeeding day. A motion to reconsider may not be tabled unassigned. A motion to reconsider is not in order more than once on the same question. When a member moves or gives notice of the member's intention to move a reconsideration of any vote, the papers to which the motion relates must remain in possession of the Clerk until the question of reconsideration has been decided, or the right to move such a question is lost. Notwithstanding the provisions of this rule, any member may move for reconsideration of a committee reference on the floor. A majority vote is necessary to overturn the original committee of reference.

**Rule 512. Elections.** In all elections by ballot of the House a time must be assigned for the election at least one day prior to the election.

**Rule 513. Opinion of justices.** A proposition to require the opinion of the justices of the Supreme Judicial Court, as provided by the Constitution, may not be acted upon until the next day after the proposition is made.

**Rule 514. Signature required.** All petitions, memorials and other papers addressed to the House, and all bills and resolves to be introduced in the House, must bear the signature of the member or member-elect presenting them.

**Rule 515. Second reading.** All bills and resolves in their Second Reading must be committed to the standing Committee on Bills in the Second Reading to be examined and corrected. The Revisor of Statutes is the clerk of the Committee on Bills in the Second Reading.

**Rule 516. Two several readings.** A bill may not pass to be engrossed until the bill has had 2 several readings; the House shall assign the time for the second reading. Every resolve that requires the approval of the Governor must have 2 several readings.

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**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.

**Rule 518. Report by committee.** A bill or resolve must be reported by a committee.

**Rule 519. Special consent calendar.** A bill or resolve that bears a unanimous Ought to Pass or Ought to Pass as Amended report by the committee to which it has been referred, upon notification to the House, must, without further action, be placed by the Clerk upon the special consent calendar and remain there for 2 legislative days; the bill or resolve, at the termination of these 2 days, is considered as passed to be engrossed. Upon objection of any member to the placement or retention of any bill or resolve on the consent calendar, that bill or resolve ceases to be a consent calendar bill. If a bill or resolve is taken from the special consent calendar, the first order of business with respect to the bill or resolve must be whether to accept the committee report.

Any expression of legislative sentiment must be placed by the Clerk upon a special consent calendar and remain there for one legislative day. At the end of the legislative day the legislative sentiment is considered passed or adopted. Upon objection of any member to the placement or retention of such an expression on the consent calendar, the legislative sentiment must be removed and the question before the House is passage or adoption.

**Rule 520. Notice to House.** The Speaker shall give the House notice before an engrossed bill or resolve may be sent to the Senate.

**Rule 521. Veto.** When a bill or resolve is returned by the Governor with objections, the question must be stated by the Chair: Shall this bill become a law notwithstanding the objections of the Governor? and the same in substance in the case of a resolve. The question may be postponed to a day within the session, not exceeding one week. No other question may apply to bills and resolves originating in either branch.

When a bill or resolve is returned by the Governor with any dollar amount disapproved pursuant to the Governor's line-item veto power, the House shall act upon the disapproved item or items within 5 days of receiving the bill or resolve from the Governor.

**Rule 522. Rules of parliamentary practice.** The rules of parliamentary practice comprised in Mason's Rules govern the House in all cases in which they are applicable and in which they are not inconsistent with the standing rules and orders of the House and the joint rules of the Senate and House of Representatives. In the event that Mason's Rules do not cover the parliamentary practice in question, then Reed's Rules govern. If neither Mason's Rules nor Reed's Rules cover the parliamentary practice in question, the rules of any other standard authority may be applied.

**Rule 523. Dispensation of rule or order.** A rule or order of the House may not be dispensed with unless two thirds of the members present consent to the dispensation.

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**Rule 524. Amendment, adoption or repeal of rule or order.** A rule or order of the House may not be altered or repealed, nor may any new standing rule or order be adopted, unless one day's previous notice is given in each case. The notice must be entered on the journal. Notwithstanding this rule and Rule 523, after the convening of the First Regular Session, and before the fourth Friday in January in odd years, any amendment to the House Rules proposed by a House Order may be adopted by a majority vote in the House. If the amendment has already failed to be adopted during that session, it may only be adopted if, upon reconsideration, it receives the approval of two thirds of the members present in the House.

**Rule 525. Penobscot Nation and Passamaquoddy Tribe.** The member of the Penobscot Nation and the member of the Passamaquoddy Tribe elected to represent their people at the biennial session of the Legislature must be granted seats on the floor of the House of Representatives; be granted, by consent of the Speaker, the privilege of speaking on pending legislation; must be appointed to sit with joint standing committees as nonvoting members during the committees' deliberations; and be granted such other rights and privileges as may from time to time be voted by the House of Representatives. In reports from committees on which a tribal member serves, the position of the member must be noted and included.

# 123rd Maine Legislature

## Joint Rules

Revised May 15, 2007

**Preamble.** These Joint Rules are adopted pursuant to the Constitution of Maine to assist in carrying out the responsibilities of the Legislature. These rules take precedence over statutes enacted by a prior Legislature relating to the proceedings of the Legislature. A higher precedence is given to the individual chamber rules, followed by past practices and customs of the chamber.

### Part 1

#### General Provisions

##### **Rule 101. Scope.**

The rules govern the transaction of business by both chambers, between the chambers and by members of both chambers, including many of the activities of joint legislative committees. The business of the separate chambers and most actions of members are governed by chamber rules.

##### **Rule 102. Amendment of Rules.**

Joint Rules may be amended by a majority vote in each chamber on or before the 3rd Friday in January of the first regular session. After that, a vote of 2/3 of the members present in each chamber is required.

##### **Rule 103. Suspension of Rules.**

Except as provided in Joint Rule 308, a joint rule or order may be suspended only with the consent of 2/3 of the members present in each chamber.

##### **Rule 104. Conflict of Interest.**

A member may not vote on any question in committee when that question immediately involves that member's private right, as distinct from the public interest.

##### **Rule 105. Salary and Benefits of Legislative Employees is Public Information.**

Salary and benefit information regarding employees and officers of the Legislature is public information and when requested must be provided within a reasonable time by the Secretary of the Senate for Senate employees, the Clerk of the House for House employees and the Executive Director of the Legislative Council for other legislative employees.

**Rule 106. Records of Certain Legislator Expenses.**

Upon request, the presiding officer of each chamber shall provide the monthly total or annual total cost of telephone expenses and of postage expenses for all members in the chamber.

The presiding officers shall also provide monthly total and annual total telephone and postage expenses of individual members upon request.

**Rule 107. Notice of Legislative Council Meetings.**

Meeting times of the Legislative Council must be publicized, at a minimum, by posting notice on the door of the meeting room in a timely fashion. When feasible, other advance notice of Legislative Council meetings must be given.

## **Part 2**

### **Legislation**

**Rule 201. Prefiling.**

A member-elect may file bills and resolves for introduction with the Revisor of Statutes prior to the convening of each first regular session.

**Rule 202. Cloture for Legislators at the First Regular Session.**

Except as provided in this Joint Rule, all requests for bills and resolves submitted by Legislators for a first regular session must be submitted in complete form, as provided in Joint Rule 208, to the Revisor of Statutes by 4:00 p.m. on the 3rd Friday in December. For the First Regular Session of the 124th Legislature, requests for bills and resolves submitted by Legislators for the first regular session must be submitted in complete form, as provided in Joint Rules 208, to the Revisor of Statutes by 4:00 p.m. on the 3rd Friday in January.

**Rule 203. Cloture for Legislators at the Second Regular Session.**

The Legislative Council shall set a cloture date and establish procedures for submission of legislation by Legislators to the Revisor of Statutes at a second regular session. Procedures established for each second regular session must ensure compliance with the requirements of the Constitution of Maine, Article IV, Part Third, Section 1.

Any vote of the Legislative Council to accept or reject a bill or resolve proposed for introduction under the procedures established under this Joint Rule must be taken by the yeas and nays, and that vote must be recorded and made available for public inspection.

**Rule 204. Cloture for State Department, Agency or Commission Bills and Resolves.**

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- **1. Deadlines for Requests.** All requests for bills and resolves submitted by a state department, agency or commission must be submitted to the Revisor of Statutes by 4:00 p.m. on the first Wednesday in December.
- **2. Deadline When Governor Newly Elected.** If the Governor is newly elected and the convening of the first regular session coincides with the beginning of the Governor's first term, then any request for a bill or resolve submitted by a state department, agency or commission must be submitted within 30 days after the Governor is administered the oath of office.
- **3. Identification of Agency.** Each request for a bill or resolve submitted under this rule must clearly designate, under the title, the department, agency or commission on whose behalf the bill or resolve is submitted.

**Rule 205. Filing after Cloture.**

Any request for a bill or resolve submitted to the Revisor of Statutes by a Legislator, a department, agency or commission after the appropriate cloture date must be transmitted to the Legislative Council. The council shall ascertain from the sponsor the facts supporting the request notwithstanding cloture. If a majority of the council approves, the legislation is eligible for introduction as other legislation that is in compliance with Rule 202 or 203.

**Rule 206. Sponsorship.**

- **1. Number; Governor's Bills.** A bill, resolve, order, resolution or memorial may have up to 10 sponsors: one primary sponsor, one lead cosponsor from the other chamber and 8 cosponsors from either chamber. By mutual agreement the presiding officers may authorize additional cosponsors on a case-by-case basis. Each bill or resolve requested by the Governor or a department, agency or commission must indicate the requestor below the title.
- **2. Duplicate Requests; Chamber of Origin.** 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. A bill, resolve, order, resolution or memorial having cosponsors must originate in the chamber of the primary sponsor.
- **3. Indian Representatives.** The member of the Penobscot Nation and the member of the Passamaquoddy Tribe elected to represent their people at each biennial Legislature may sponsor legislation specifically relating to Indians and Indian land claims, may offer floor amendments to this legislation, may cosponsor any other legislation and may sponsor and cosponsor expressions of legislative sentiment in the same manner as other members of the House.

**Rule 207. Disclosure of Titles of Bills and Resolves.**

- **1. Legislator and Department Bills.** The titles and sponsors' names of requests for bills and resolves submitted by legislators or by departments, agencies or commissions are considered public information upon filing. The legislator, department, agency or commission may direct that the title of a particular bill or resolve remain confidential

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until cloture. A list of titles and sponsors must be published as soon as practicable after cloture. The names of sponsors and the titles of requests for bills and resolves submitted after cloture are public information when transmitted to the Legislative Council pursuant to Joint Rule 205. The names of sponsors and the titles of requests for bills and resolves submitted for a special session are public information when transmitted to the Legislative Council.

- **2. Governor Bills.** The titles of requests for bills and resolves submitted by the Governor are considered public information upon filing. The Governor may direct that the title of a particular bill or resolve remain confidential until that bill or resolve is printed.

**Rule 208. Requirements for Drafting.**

A request for a bill or resolve filed with the Revisor of Statutes is considered complete when the request is properly titled and accompanied by sufficient instructions, information and data required for its preparation. When a request is not accompanied by sufficient instructions, information or data, the Revisor of Statutes is directed to give written notice of inadequate information to the legislator. Upon receipt of said written notice, the legislator has 5 business days to file adequate information with the Revisor of Statutes, or the request for the bill or resolve will be denied. Drafts prepared by an outside source must be filed in final form by the appropriate cloture date.

When directed by the sponsor, the Revisor of Statutes shall prepare a bill or resolve in concept form. The bill or resolve shall contain only an enacting clause and a summary of the proposed legislation and shall not be fully drafted by the Revisor of Statutes. The bill or resolve prepared in this form shall be printed and referred to a committee in the same manner as other legislation and may be reported in fully drafted form by that committee in the same manner as other legislation. Notwithstanding the Maine Revised Statutes, Title 1, section 402, members of legislative leadership and committee chairs have access to the contents of a file for a bill or resolve that is prepared in concept form. This method of drafting legislation is not allowed for legislation submitted by the Governor, by agencies or departments of state government, by study commissions, or pursuant to statute. Any request for a bill or resolve submitted after cloture must state if it is a request for a concept draft. Any committee amendment must be germane to the detailed summary of the concept draft.

**Rule 209. Bill Titles and Summaries.**

The Revisor of Statutes has authority to change the title of a bill or resolve to ensure that the title accurately and concisely reflects the content and scope of the bill or resolve. If the primary sponsor objects to the change, the President of the Senate and the Speaker of the House shall jointly decide what the title should be.

The Revisor of Statutes shall prepare and include a summary of each bill, resolve and amendment. The Revisor of Statutes has authority to ensure that the summary is concise and accurately reflects the intent of the bill or resolve.

**Rule 210. Form.**

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All bills and other instruments, including bills proposed by initiative, must be allocated to the Maine Revised Statutes as appropriate and corrected for form, legislative style and grammar by the Revisor of Statutes before printing.

**Rule 211. Signatures on Drafts of Bills, Resolves and Amendments.**

The Revisor of Statutes shall notify the primary sponsor of a bill or resolve that the bill or resolve is ready in final form for signature. The primary sponsor is responsible for obtaining signatures from cosponsors. The primary sponsor shall sign the bill or notify the Revisor of Statutes of any changes that are necessary within deadlines established by the presiding officers. The primary sponsor shall present the signed cosponsor sheet to the Revisor of Statutes. If the primary sponsor does not contact the Office of the Revisor of Statutes within this period, the bill is void.

If changes are requested, the Revisor of Statutes shall notify the primary sponsor when changes have been made and the bill is available for signature; the primary sponsor and cosponsors shall sign the bill within the established deadlines. Further changes must be proposed to the committee of reference. If the primary sponsor does not sign the bill within this period, the bill is void. If cosponsors do not sign the bill within either period, their names must be removed from the bill.

**Rule 212. Errors.**

Clerical errors in bills and resolves may be corrected upon suggestion by the Revisor of Statutes without motion to amend.

**Rule 213. Expressions of Legislative Sentiment.**

All expressions of legislative sentiment must conform to guidelines issued by the President of the Senate and the Speaker of the House and must be presented in a manner standardized by the Revisor of Statutes.

Each expression of legislative sentiment must contain the residency of the recipient and must, at a minimum, be cosponsored by the Senator and Representative who represent the recipient unless the Senator or Representative affirmatively declines.

The expressions of legislative sentiment may not be part of the permanent journal or the legislative record but must appear on the Advance Calendar and Journal of each body. The Secretary of the Senate and the Clerk of the House shall print the expressions in an appendix to the legislative record. When the Legislature is not in session, the President of the Senate and the Speaker of the House may authorize expressions of legislative sentiment at the request of legislative members.

**Rule 214. Memorials.**

A memorial is not in order for introduction unless approved by a majority of the Legislative Council.

**Rule 215. Actions Relating to the United States Constitution.**

All memorials, resolutions, applications and petitions that relate to the Legislature's functions under the United States Constitution, Article V are in order for introduction without approval from the Legislative Council. Passage of these items must be accomplished as follows:

- **1. Calling of United States Constitutional Convention.** An item requesting the calling of a United States Constitutional Convention requires a 2/3 vote of the members present in each chamber;
- **2. Ratification of Amendment.** An item requesting ratification of an amendment to the United States Constitution requires a majority vote of the members present in each chamber; and
- **3. Any Other Action.** An item requesting any other action under the United States Constitution, Article V requires a majority vote of the members present in each chamber.

**Rule 216. Claims against the State.**

A claim of an amount of \$2,000 or less is in order for introduction only after the claim has been first disapproved or partially approved for payment under the Maine Revised Statutes, Title 5, section 1510-A. A claim of an amount greater than \$2,000 is in order for introduction only in the form of a resolve authorizing a suit against the State.

**Rule 217. Measures Rejected at a Prior Session.**

A bill, resolve, constitutional resolution, resolution, memorial or order that has been introduced and finally rejected in a regular or special session may not be introduced in a subsequent regular or special session of the same Legislature except by vote of 2/3 of both chambers.

**Rule 218. Legislation Filed Pursuant to Law or Resolve.**

Legislation filed pursuant to law or resolve must identify the source of the legislation and must cite the law or resolve that authorizes the filing. The legislation must be introduced in the chamber of the sponsor or the chamber of origin of the authorizing law or resolve.

## **Part 3**

### **Legislative Committees**

#### **Subpart A**

#### **Joint Standing Committees**

**Rule 301. Joint Standing Committee Responsibilities and Jurisdiction.**

Joint standing committees are formed to assist the Legislature in the performance of its constitutional duties and are vested with the general authority granted in the Maine Revised

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Statutes, Title 3, section 165 and certain other specific authority granted from time to time by the Legislature. The responsibilities of joint standing committees include, but are not limited to:

- **1. Pending Legislation.** Considering and reporting to both chambers on legislation pending before the Legislature;
- **2. Budget and Fiscal Policy Issues.** Reviewing and making recommendations on budgeting and fiscal policy issues concerning State Government;
- **3. Actions of Departments and Agencies.** Conducting oversight and review of the actions of departments and agencies of State Government, including, but not limited to, review of agency rules under Title 5, chapter 375, subchapters II and II-A and agency evaluations under the State Government Evaluation Act;
- **4. Gubernatorial Appointments.** Reviewing and making recommendations on gubernatorial appointments that require legislative confirmation under Title 3, chapter 6; and
- **5. Other Tasks.** Performing other tasks assigned to them, including, but not limited to, reviewing specific provisions of law, conducting studies on assigned topics, issuing reports on policy and legal issues of interest to the Legislature, reporting out specific legislation pursuant to joint order and authorizing the annual budgets of certain counties.

There are 17 joint standing committees, which must be appointed at the commencement of the first regular session and which exercise jurisdiction in the following areas:

- Agriculture, conservation and forestry
- Appropriations and financial affairs
- Business, research and economic development
- Criminal justice and public safety
- Education and cultural affairs
- Health and human services
- Inland fisheries and wildlife
- Insurance and financial services
- Judiciary
- Labor
- Legal and veterans affairs
- Marine resources
- Natural resources
- State and local government
- Taxation
- Transportation
- Utilities and energy

**Rule 302. Membership.**

Each of the joint standing committees consists of 13 members, 3 from the Senate and 10 from the House of Representatives. The first Senate member named is the Senate chair. The first House member named is the House chair. The Senate chair shall preside and in the Senate chair's absence, the House chair shall preside and, thereafter, as the need may arise, the chair shall

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alternate between the members from each chamber in the sequence of their appointment to the committee. The sequence of appointment for the biennium is as announced by the presiding officers in each chamber. Every member of the Senate and the House of Representatives is entitled to at least one initial committee assignment.

**Rule 303. Committee Clerks.**

The hiring of all committee clerks must be mutually agreeable to both the Senate and House chairs. If not agreeable to both, the President of the Senate and the Speaker of the House shall decide. Committee clerks serve at the pleasure of the President of the Senate and the Speaker of the House. The salary of each committee clerk is established by the President of the Senate and the Speaker of the House, and the employment of the committee clerks terminates no later than the end of the session.

**Rule 304. Procedures for Public Hearings and Work Sessions.**

At the beginning of each legislative biennium, all committees shall adopt procedures that govern public hearings, work sessions and confirmation hearings. Copies of the procedures must be sent to the presiding officers, the Secretary of the Senate, the Clerk of the House and the Executive Director of the Legislative Council upon adoption and must be posted and made available upon request at all public hearings and work sessions.

The rules of procedure in committee are the same as the rules of the Senate and the House of Representatives to the extent applicable. Committee procedures must be consistent with these rules.

The presiding chair shall decide all questions of order, subject to appeal to the committee. The chair's ruling stands unless overruled by a majority vote of the committee membership.

Scheduling of bills to be considered in public hearings and work sessions must be arranged by the Senate chair with the agreement of the House chair; if agreement is not reached, the committee shall decide by majority vote of the membership.

At public hearings, the chair may limit testimony as necessary for the orderly conduct of the hearing. Members may question witnesses to clarify testimony and to elicit helpful and pertinent information. While aggressive and probing questions may sometimes be appropriate, members shall exhibit respect for the witnesses and for one another. Members shall refrain from interrogation that is argumentative, oppressive, repetitive or unnecessarily embarrassing to hearing participants. Advocacy and discussion among members are not appropriate at public hearings. A committee member who is the primary sponsor of a bill and any member who testifies for or against the bill should ordinarily refrain from questioning other witnesses.

**Rule 305. Scheduling Public Hearings and Work Sessions.**

At the beginning of the regular session, each committee shall recommend to the presiding officers specific days for its public hearings and work sessions, taking into consideration the

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availability of assigned staff and hearing rooms. Upon approval of the schedule by the presiding officers, the chairs shall try to schedule all committee work on those days. Each committee shall distribute a detailed list of hearings and work sessions that have been scheduled for the following week to all committee members. This schedule must also be posted outside the committee room. Notice of a committee's public hearings and work sessions must be posted each day on the board provided for that purpose on the third floor of the State House. A committee may not hold a hearing or conduct a work session for which notice has not been posted.

Public hearings must be advertised 2 weekends in advance of the hearing date. All exceptions must be approved by both presiding officers.

The committee shall direct the committee clerk to notify all sponsors of the bill of the public hearing and work session on the bill.

It is the intent of the Legislature that a person not be denied access to committee public hearings and work sessions because of a disability. Committees shall provide reasonable access for disabled persons to their proceedings and allow adequate time for participation by disabled persons.

**Rule 306. Quorum.**

A quorum is 7 members, and a quorum must be present to start a meeting or to take a vote. A quorum is not required to continue a meeting. If a quorum is present, but there is not a Senator among those present, the committee may take a vote only with the authorization of the President of the Senate.

**Rule 307. Testimony.**

Testimony before a joint standing committee is not presented under oath, except that a committee is authorized to administer oaths in the case of legislative confirmation hearings under the Maine Revised Statutes, Title 3, section 157 and may be so authorized by the Legislature when the committee is acting as a special investigating committee under the Maine Revised Statutes, Title 3, section 165, subsection 7.

All written materials presented to the committee must bear the name, address and affiliation, if applicable, of the presenter and the date presented.

**Rule 308. Reference of Bills to Committee.**

All bills and resolves must be referred to committee, except that this provision may be suspended by a majority vote in each chamber.

- **1. Legislature in Session.** When the Legislature is in session, the Secretary of the Senate and the Clerk of the House shall jointly suggest an appropriate committee reference for every bill, resolve and petition offered. The suggested reference must be placed upon the Advance Journal and Calendar of each chamber. If they are unable to agree, the question

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of reference must be referred to a conference of the President of the Senate and the Speaker of the House. Upon their agreement, the suggested reference must be placed upon the Advance Journal and Calendar of each chamber. If they are unable to agree, the question of suggested reference must be referred to the Legislative Council for resolution. Upon the decision of the Legislative Council, the suggested reference must be placed upon the Advance Journal and Calendar of each chamber.

- Each suggested reference appearing upon the Advance Journal and Calendar of each chamber must contain a recommendation for the printing of the document being referred and may contain a recommendation on the number of copies of that document to be printed.
- Any member may move for reconsideration of a committee reference on the floor. Notwithstanding Joint Rule 103, a majority vote is necessary to overturn the original committee of reference.
- **2. Legislature Not in Session.** When the Legislature is not in session or is in recess for more than 4 days, the Secretary of the Senate and Clerk of the House may refer the bills to the appropriate joint standing committee for public hearing and order printing, subject to the approval of the President of the Senate and the Speaker of the House.
- **3. Reference to More Than One Committee.** When a bill or resolve has a subject matter that falls within the jurisdiction of more than one committee, suggested references may be made and the full Legislature may vote to refer a bill or resolve to more than one committee. When references are made to more than one committee, the first named committee is responsible for the scheduling and conduct of all public hearings, subject to approval of the chairs of the other committee or committees. Committees to whom a bill or resolve is referred pursuant to this rule shall participate equally in all public hearings and work sessions and shall make a joint report or joint reports. The public hearing or hearings and work session or work sessions must be conducted jointly by both committees. The chairs of the committees involved shall establish the process for conduct of the work session or work sessions on the bill. If the chairs are unable to agree, the presiding officers shall establish the process. The work session process must provide for balanced representation for each committee. The report or reports on a jointly referred bill is as voted by the full membership of each committee, except that if a member serves on more than one committee to whom a bill or resolve is referred, that member may cast only one vote.

**Rule 309. Notice to Report.**

The President of the Senate and the Speaker of the House shall jointly establish reporting deadlines for all bills and resolves referred to committee and each committee shall, after receiving notice of the reporting deadlines, report its bills and resolves out of committee to the floor for consideration in accordance with those deadlines.

**Rule 310. Reports of Bills from Committee.**

- **1. Deadline for Reports.** The joint standing committees shall report out every bill that has been referred to them in the manner prescribed in these rules and in accordance with deadlines established by the presiding officers.

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- **2. Committee Reports.** The report of the committee must include a recommendation. Recommendations that may be made are:
  - Ought to Pass
  - Ought to Pass as Amended
  - Ought to Pass in New Draft
  - Ought Not to Pass
  - Refer to Another Committee
- The committee shall vote on all recommendations to be included in reports on a bill during a work session on that bill. When the committee recommendation is not unanimous, a minority report or reports are required. Except as provided in subsection 5, minority committee reports must be voted on at the same work session as the majority report on that bill. Notwithstanding subsection 5, a committee vote to report a bill out favorably must be taken based on written language before the committee at that time or on a motion describing the content of the report. After a committee vote, no substantive change may be made in the committee report unless motions to reconsider and to amend the report are approved at a committee work session. All reports on any legislative document must be submitted to the Legislature at the same time.
- **3. Unanimous Ought Not to Pass Report.** When a joint standing committee votes unanimously to report a bill "Ought Not to Pass," the committee shall notify the presiding officers, the sponsor and the cosponsors of the bill of their action. This communication must appear on the calendar in each chamber, and the bill, upon notification of both chambers, must be placed in the legislative file and may be recalled only as provided in Rule 404.
- **4. Ought to Pass in New Draft Report.** When the changes voted by the committee are major, the committee may elect to report the bill out "Ought to Pass in New Draft," with authorization of the presiding officers. When a plurality of the committee recommends this report, the chairs shall submit a request for authority to report the bill out in this fashion. New drafts printed pursuant to these rules must include the legislative document number that the new bill replaces and the names of the original sponsor and cosponsors. The Secretary of the Senate and the Clerk of the House shall determine the number of copies that must be printed of each new draft.
- **5. Committee Voting.** The committee clerk shall prepare the committee jacket or jackets following the vote and obtain signatures from committee members as required. If all members are not present for the vote, the bill must be held until the following periods have expired.
  - A. If any member is absent from the State House and the State Office Building at the time of the vote, that member's vote may be registered with the clerk up until noon on the 2nd business day following the vote.
  - B. If any member is absent from the committee at the time of the vote but present in the State House or the State Office Building, that member's vote may be registered with the clerk up until 5:00 p.m. on the day of the vote.
- A member may be excused from voting only for a conflict of interest under Joint Rule 104.
- Except for a motion to adjourn, a question may not be decided and official action may not be taken in the absence of a quorum.

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Appendix 3 – Joint Rules

- No committee vote on a bill may be taken after 10:30 p.m. or before 7:30 a.m. unless authorized by the presiding officers. If the presiding officers provide this authorization, they shall notify the other members of the Legislative Council concurrently.

**Rule 311. Errors and Inconsistencies Legislation.**

Prior to reporting out any omnibus bill concerning errors and inconsistencies in the Laws of Maine, the Joint Standing Committee on Judiciary shall, after giving notice and an opportunity to be heard, hear proposed amendments and determine which amendments should be included in the bill reported out. A floor amendment may not be entertained in either chamber unless the amendment is printed and distributed at least 24 hours prior to introduction.

**Rule 312. Fiscal Notes.**

Every bill or resolve that affects state revenues, appropriations or allocations or that requires a local unit of government to expand or modify that unit's activities so as to necessitate additional expenditures from local revenues and that has a committee recommendation other than "Ought Not to Pass" or "Referral to Another Committee" must include a fiscal note. This statement must be incorporated in the bill before it is reported out of committee. Any amendment introduced that would affect the fiscal impact of the original bill must also include a fiscal note. The Office of Fiscal and Program Review has the sole responsibility for preparing all fiscal notes.

**Rule 312-A. Constitutional Resolutions.**

A committee may submit the question to be voted on under a resolution proposing to amend the Constitution of Maine to the Secretary of State for review prior to reporting the resolution out of committee with a recommendation other than "Ought Not to Pass" or "Referral to Another Committee." The Secretary of State shall apply the same standards of clarity to that question as to questions for the people's veto and initiative referenda under the Maine Revised Statutes, Title 21-A, section 906, subsection 6 and advise the committee and the sponsor of the resolution as to the recommended wording of the question.

**Rule 313. Confidentiality.**

The committee shall protect confidential records, including those records excluded from the definition of "public records" under the freedom of access laws, the Maine Revised Statutes, Title 1, section 402, subsection 3, from public disclosure by holding executive sessions to discuss information contained in those records. Executive sessions must be held in accordance with the provisions of the freedom of access laws, the Maine Revised Statutes, Title 1, chapter 13, subchapter I.

Before the committee files leave the custody of the committee, the committee chairs shall direct the custodian of the files to protect the confidentiality of the records in any appropriate manner, including returning the records to the person or department from which they came; destroying the records; or blocking out personally identifying information in the records and retaining them in the files, if the law declaring the records confidential permits disclosure in this manner.

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Appendix 3 – Joint Rules

The committee chairs shall also ensure that the files include a notation indicating what type of confidential records were reviewed by the committee.

**Rule 314. Participation in Budget Hearings and Work Sessions.**

As used in this Rule, "policy committee" means a joint standing committee or joint select committee of the Legislature having subject matter jurisdiction other than the Joint Standing Committee on Appropriations and Financial Affairs.

In each year of the biennium, any budget bill submitted to the Legislature by the Governor and referred to the Joint Standing Committee on Appropriations and Financial Affairs is subject to the following procedures.

Notwithstanding any provision of subsections 1 to 4 of this Joint Rule, a policy committee may elect not to participate in either the joint budget hearing or the work session, or both, by so notifying the chairs of the Joint Standing Committee on Appropriations and Financial Affairs in writing.

- **1. Budget Recommendations.** Budget recommendations made by the Governor on areas within the jurisdiction of a policy committee must be initially heard jointly by the Joint Standing Committee on Appropriations and Financial Affairs and the policy committee having jurisdiction over the subject matter presented.
- **2. Subcommittee; Appointment.** Each policy committee shall appoint a subcommittee of at least 3 and not more than 5 of its members to serve as liaisons to the Joint Standing Committee on Appropriations and Financial Affairs. At least one member of the subcommittee must be appointed by the Senate chair of the policy committee and at least 2 members must be appointed by the House chair of the policy committee. If more than 3 members are appointed to the subcommittee, the additional member or members must be appointed jointly by the chairs of the policy committee. This subcommittee must include members of the 2 parties holding the largest number of seats in the Legislature. The committee chairs shall name one of the members as subcommittee chair. The Joint Standing Committee on Appropriations and Financial Affairs shall notify the policy committee chairs and the chair of the subcommittee in a timely manner prior to any subsequent deliberations on budget items relative to that policy committee's jurisdiction. Each policy committee through its subcommittee shall advise the Joint Standing Committee on Appropriations and Financial Affairs of its respective policy committee's recommendations regarding budget items relative to that committee's jurisdiction and through its subcommittee may participate in all subsequent deliberations of the Joint Standing Committee on Appropriations and Financial Affairs on these budget items.
- **3. Membership Published.** The membership of each subcommittee must be published in the Advance Journal and Calendar.
- **4. Policy Committee Recommendations.** Each policy committee shall provide the Joint Standing Committee on Appropriations and Financial Affairs with the policy committee's recommendations regarding the relevant part of the Governor's budget. These recommendations must be delivered within a time period set by the chairs of the Joint Standing Committee on Appropriations and Financial Affairs after consultation with the

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chairs of the policy committee taking into consideration previously scheduled public hearings of the policy committee. The chairs of the Joint Standing Committee on Appropriations and Financial Affairs shall notify the presiding officers of the dates established for reporting policy committees' recommendations. The recommendations must be made within the budgetary constraints set by the Joint Standing Committee on Appropriations and Financial Affairs.

- **5. Additional Funds.** Following submission of the policy committee's biennial budget recommendations within established budget constraints, each policy committee may recommend additional funds for program priorities that exceed the original budgeting constraints and if recommendations for additional funds are made, the committee shall explain those recommendations.
- **6. Decision-making Authority.** The Joint Standing Committee on Appropriations and Financial Affairs shall consider the policy committees' budget recommendations during the deliberations of the Joint Standing Committee on Appropriations and Financial Affairs but retains sole decision-making authority on budget matters.
- **7. List of Priorities.** Within 5 business days after reporting out all bills involving appropriations or revenues, the policy committees shall submit to the Joint Standing Committee on Appropriations and Financial Affairs a list indicating these committees' priorities for final passage of these bills.

**Rule 315. Interim Committee Activities.**

The chairs of a joint standing committee may request and upon finding of need the President of the Senate and the Speaker of the House are authorized to jointly grant permission to a committee to meet out of session to conduct work of the committee, including review of agencies' effectiveness under the Government Evaluation Act, review of major substantive rules and agency regulatory agendas under the Administrative Procedure Act and review of agency strategic planning and performance budgeting submissions under Title 5, chapter 151-C.

**Rule 316. Penobscot Nation and Passamaquoddy Tribe.**

The member of the Penobscot Nation and the member of the Passamaquoddy Tribe elected to represent their people at the biennial session of the Legislature must be granted seats on the floor of the House of Representatives; be granted, by consent of the Speaker, the privilege of speaking on pending legislation; must be appointed to sit with joint standing committees as nonvoting members during the committees' deliberations; and be granted such other rights and privileges as may from time to time be voted by the House of Representatives. In reports from committees on which a tribal member serves, the position of the member must be noted and included.

**Subpart B**  
**Special Legislative Committees**

**Rule 351. Joint Select Committees.**

A joint select committee consists of 3 Senators and 7 members of the House of Representatives, unless the order creating the committee provides a different number.

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When a select committee is appointed by both chambers the Secretary of the Senate and the Clerk of the House shall inform each other of the names of the members so that the names may be entered upon the Advance Journal and Calendar of each chamber.

**Rule 352. Committees of Conference.**

When the chambers do not agree on an action, a committee of conference is in order. A committee of conference consists of 3 members from each chamber who voted on the prevailing side. A committee of conference shall meet and submit a report within 10 legislative days to the chamber asking for the conference. The report must be agreed to by a majority of the members from each chamber. The committee report may be that it is unable to agree. The committee report may be either accepted or rejected, but no other action may be had except through another committee of conference. If necessary, a new committee of conference may be formed.

**Rule 353. Legislative Studies.**

To assist in the exercise of its duties, the Legislature may establish legislative study committees or may alternatively refer matters to joint standing committees or subcommittees of joint standing committees for study. This Joint Rule establishes standards that govern the drafting of legislative study instruments and the authorization of legislative studies. All legislative studies must be consistent with this Joint Rule and with Legislative Council policies adopted under this Joint Rule. A joint standing or joint select committee may not, except upon the prior approval of the Legislative Council, report to the Legislature any bill, resolve or joint order proposing a legislative study that is inconsistent with this Joint Rule.

- **1. Definitions.** For the purposes of this Joint Rule, the following terms have the following meanings:
  - A. The term “legislative study” or “legislative study committee” means any group of individuals established in an Act, Resolve or Joint Order or by the Legislative Council, except those exempted under policies adopted by the Legislative Council, whose duties include studying and reporting to the Legislature on any matter or advising the Legislature on any matter and that requires the use of legislative resources;
  - B. The term “legislative resources” means the expenditure of any funds appropriated or allocated to the Legislative Account, the appointment of one or more persons by the Legislature, the inclusion of one or more legislators as members of the legislative study committee or the use of Legislative Council staff; and
  - C. The term “non-legislative study” or “non-legislative study group” means any group of individuals directed by legislation to report back to the Legislature on any issue but that is not otherwise a legislative study.
- **2. Establishing legislative studies.** A legislative study may only be created by joint study order, unless the instrument directs an agency or a person who is not a legislator to take an action or has an existence that extends beyond the Legislature in which it is introduced. A joint standing committee may report out a joint study order requesting that a study be conducted.

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- **3. Appointment of members.** A majority of legislative study members must be legislators and the legislative study committee must be chaired by legislators appointed in a manner consistent with subsection 4. The legislative study committee must include members of the 2 parties holding the largest number of seats in the Legislature. All members of legislative study committees established by joint study order must be appointed by the presiding officers: Senate members by the President and House members by the Speaker. Members of a legislative study created by joint study order who are not legislators must be appointed either by the President or the Speaker. Legislative studies may include a minority of non-legislative members appointed by someone outside the Legislature. Joint appointment of members is not permitted.
- **4. Appointment of chairs.** Legislative studies having more than 5 members must be cochaired by legislators. The first appointed Senate member must be the Senate chair and the first appointed House member must be the House chair. Legislative studies having 5 or fewer members must have a single legislative chair appointed by the presiding officer of the body of the originating study order or legislation. The chair of a legislative study having 5 or fewer members shall appoint a chair pro tem from among the appointed members to serve in the chair's absence.
- **5. Committee size.** Legislative study committees may consist of no fewer than 3 and no more than 13 members.
- **6. Staffing.** Unless the Legislative Council directs otherwise, Legislative Council staff will only be assigned to legislative studies that conform to this Joint Rule.
- **7. Reporting dates.** All reports of legislative study committees that are to be submitted to a first regular session must be completed and submitted not later than the first Wednesday in November preceding the convening of the first regular session of the next legislature. All reports of legislative study committees that are to be submitted to a second regular session must be completed and submitted not later than the first Wednesday in December preceding the convening of the second regular session. Upon request of the study committee, the Legislative Council may extend the reporting date, except that the extension may not go beyond December 15th in odd numbered years or beyond the first Wednesday of December in even numbered years.
- **8. Legislation may not be introduced by legislative studies or non-legislative study groups.** Legislative and non-legislative study committees or groups may include proposed legislation in their reports to the Legislature, but are not authorized to introduce legislation. Upon receipt of a report submitted by a legislative or non-legislative study committee or group, the joint standing committee to which the report is submitted, or the appropriate joint standing committee of jurisdiction in the event that the report is submitted to the Legislature as a whole, may introduce a bill during the session to which the report is submitted to implement its recommendations on matters relating to the study.
- **9. Compensation.** Legislative members are entitled to receive the legislative per diem and reimbursement of necessary expenses for their attendance at authorized meetings of a study committee. Public members not otherwise compensated by their employers or other entities whom they represent are entitled to receive reimbursement of necessary expenses and, upon demonstration of financial hardship, a per diem equal to the legislative per diem for their attendance at authorized meetings of a study committee.
- **10. Study table.** All joint study orders or legislation proposing legislative studies must be placed on a special study table in the Senate or House. The Legislative Council shall

Paperless Chamber Request for Proposals  
Appendix 3 – Joint Rules

review the proposed studies and authorize the allocation of budgetary and staffing resources for those studies.

- **11. Legislative Council study policies.** The Legislative Council shall adopt policies governing legislative studies at the beginning of each legislative biennium. Those policies may include conditions on the funding of legislative studies, exceptions to this Joint Rule, drafting standards or other provisions necessary to satisfy the requirements of this Joint Rule.

**Rule 354. Joint Select Committee on Joint Rules.**

There is established the Joint Select Committee on Joint Rules. Notwithstanding Joint Rule 351, the committee consists of 5 Senators, appointed by the President of the Senate, and 5 members of the House of Representatives, appointed by the Speaker of the House. The first-named Senate member is the Senate chair; the first-named House member is the House chair.

The committee shall meet at least once annually and at other times agreed upon by the President of the Senate and the Speaker of the House to review the joint rules and recommend changes the committee determines necessary.

The committee shall invite the participation of the Secretary of the Senate, the Clerk of the House, the Executive Director of the Legislative Council, the Director of the Office of Fiscal and Program Review, the Director of the Office of Policy and Legal Analysis and the Director of the Office of the Revisor of Statutes. The Secretary of the Senate and the Clerk of the House shall provide necessary staffing services to the committee.

The Joint Select Committee on Joint Rules shall review and make recommendations concerning the Legislative Council. This review shall include, but not be limited to the structure and operations of the Legislative Council and possible creation of a Joint Committee on Legislative Management to replace the functions of the Legislative Council. This section of the Joint Rules may be approved by a majority vote following the report of the Joint Select Committee on Joint Rules. Any change to the title of the Legislative Council in the Joint Rules may also be changed by majority vote.

The committee shall report by October 15th, in the even numbered years with any suggested changes to the Joint Rules.

**Subpart C**

**Legislative Oversight of Government Agencies and Programs**

**Rule 371. Government Oversight Committee.**

The Government Oversight Committee, referred to in this Rule as "the committee," is established. The committee consists of 6 members of the Senate and 6 members of the House of Representatives and must be evenly divided between the 2 largest political parties represented in each chamber. The President of the Senate shall appoint 6 Senators, 3 from the political party holding the majority of seats in the Senate and 3 from the political party holding the majority of the remainder of the seats in the Senate. The first-named Senator is the Senate chair. The Speaker

shall appoint 6 members, 3 from the political party holding the majority of seats in the House and 3 from the political party holding the majority of the remainder of the seats in the House. The first-named member of the House is the House chair.

## **Part 4**

### **Floor Action on Legislation**

#### **Rule 401. Printing of Bills.**

Every bill or resolve submitted by a Legislator must be printed unless withdrawn by the sponsor before printing. After it is printed, a bill or resolve is considered to be in the possession of the Legislature and may not be withdrawn by the sponsor. Every bill presented for reference to committee or to be engrossed without reference to committee must be printed before appearing on the Advance Journal and Calendar of either chamber.

Every amendment must be printed and distributed before being taken up in either chamber. Every committee amendment must indicate the committee making the report.

The Secretary of the Senate and the Clerk of the House are responsible for the printing and initial distribution of legislative documents and amendments.

#### **Rule 402. Consideration of Bills.**

When a bill, resolve, order or memorial passes one chamber, if rejected in the other chamber, it must be returned by the Secretary or the Clerk, as the case may be, for further consideration.

#### **Rule 403. Amendment of Bills.**

A floor amendment is not in order on any bill or resolve until a favorable report of the committee to which the bill or resolve has been referred has been accepted and the bill or resolve is before the Senate in the 2nd reading or before the House in the 2nd reading.

#### **Rule 404. Rejection of Bills.**

A bill, resolve, constitutional resolution, resolution, memorial or order that is finally rejected may not be recalled from the legislative files except by joint order approved by a vote of 2/3 of both chambers.

#### **Rule 405. Enactment of Bills.**

Every bill that has passed both chambers to be enacted and all resolutions having the force of law that have finally passed both chambers must be presented by the Secretary of the Senate to the Governor for approval; and the Secretary of the Senate shall enter on the journal of the Senate the day on which those bills or resolutions are presented to the Governor.

**Rule 406. Responsibility for Legislative Papers.**

All endorsements on papers passing between the 2 chambers must be under the signature of the Secretary of the Senate or the Clerk of the House, respectively; but after the final passage of bills and resolves they must be signed by the presiding officer of each chamber.

When one chamber has passed upon a legislative paper and forwarded it to the other, the receiving chamber shall promptly, upon receipt, place that paper on its calendar.

**Rule 407. Joint Conventions.**

Business may be transacted in convention of the 2 chambers only by unanimous consent of the convention, except for such business as may be agreed upon by the 2 chambers before the convention is formed.

**Rule 408. Communications.**

Whenever a message is sent from the Senate to the House, the chair shall appoint a messenger who, after being recognized, shall announce the message respectfully to the chair.

**In a like manner, messages from the House must be communicated to the presiding officer of the Senate. Part 5**

**Legislative Confirmations**

**Rule 501. Partisan Staff Assistants for Nominations.**

The members of the Legislative Council representing each party shall, within 7 legislative days after the convening of the first regular session, appoint a partisan staff assistant for nominations. Each of these assistants serves at the pleasure of the appointing authority during the biennium for which the assistant is chosen. A vacancy in either of these positions must be filled for the remainder of the biennium in the same manner as the original appointment. Partisan staff assistants for nominations shall provide all necessary assistance to each joint standing committee required by law to recommend action on a gubernatorial nominee.

**Rule 502. Notice of Gubernatorial Appointments.**

The procedures for legislative confirmation are established in the Maine Revised Statutes, Title 3, chapter 6. Upon receipt by the President of the Senate and Speaker of the House of notification from the Governor of the name of a nominee and of the office to which that person is nominated, the President of the Senate and Speaker of the House shall, without delay, forward that notice and copies of accompanying materials to the chairs of the joint standing committee that is charged by law with reviewing nominations to that office, to the Legislative Information Office and to the 2 partisan staff assistants for nominations. The Legislative Information Office shall establish an official file for each nominee.

**Rule 503. Committee Preconference Hearing.**

The joint standing committee must hold a prehearing conference within 21 days of the notification from the Governor unless the committee decides otherwise. The prehearing conference must be consistent with the Maine Revised Statutes, Title 3, section 156.

**Rule 504. Committee Public Hearing.**

The joint standing committee shall hold a public hearing on the nomination in Augusta at a time convenient to the public within 30 days, or 35 days for judicial officers, from the date of the Governor's notice of the nomination to the President of the Senate and the Speaker of the House. At least 7 days before the hearing, the Legislative Information Office shall publish in the state paper and in a newspaper of general circulation in the area where the nominee resides a notice of that hearing, which must contain the time and place of the hearing, the name of the nominee, the office to which that person has been nominated and a general description of the duties of that office. The notice must also contain a statement that written comments relevant to the qualifications of the nominee together with supporting materials may be filed with the Legislative Information Office by 9 a.m. on the hearing date. At the hearing, the committee shall take written or oral testimony limited to relevant comments and questions regarding the qualifications of the nominee. Notwithstanding the Maine Revised Statutes, Title 3, section 157, for the purposes of reviewing nominations pursuant to this rule, the joint standing committee has the power to administer oaths and to take testimony under oath. All testimony taken at the hearing must be recorded and testimony and other materials received by the committee must be preserved according to the Maine Revised Statutes, Title 3, section 159. The 2 partisan assistants for nominations shall provide the committee with a written report of their investigations before the committee votes to recommend or deny confirmation.

**Rule 505. Committee Vote.**

Within 35 days, or 40 days for judicial officers, from the date of the Governor's notice of the nomination to the President of the Senate and the Speaker of the House, the committee shall recommend confirmation or denial by majority vote of the committee members present and voting. The vote of the committee may be taken only upon an affirmative motion to recommend confirmation of the nominee, and a tie vote of the committee is considered a recommendation of denial. A vote may not be taken sooner than 15 minutes after the close of the public hearing unless by agreement of all committee members present. The committee vote must be by the yeas and nays. The chairs of the committee shall send written notices of the committee's recommendation to the President of the Senate.

**Rule 506. Senate Vote.**

Within 45 days, or 50 days for judicial officers, from the date of the Governor's notification of the nomination to the President of the Senate and the Speaker of the House, the Senate shall review the recommendation of the committee on the nomination and, after review, shall vote by the yeas and nays on that recommendation.

Paperless Chamber Request for Proposals  
Appendix 3 – Joint Rules

After vote by the Senate, the committee's recommendation becomes final action of confirmation or denial unless the Senate by a vote of 2/3 of those members present and voting overrides the committee's recommendation. If the committee recommends to deny confirmation and the Senate votes by a vote of 2/3 or greater of those members present and voting to override the committee's recommendation, the nomination is considered confirmed. Following Senate confirmation or denial, notice of the action taken must be given to the Speaker of the House.

**Rule 507. Withdrawal of Nomination.**

If the Governor withdraws a nomination at any time prior to the Senate vote by sending a written notice of withdrawal to the President of the Senate, the Legislature may not take any further action on that nomination.

**Rule 508. Nomination Made Within 30 Days of Adjournment.**

If the Governor posts a nomination within 30 days preceding the statutory date of adjournment, a legislative committee to which a nominee is referred for confirmation review may by 2/3 vote request the President of the Senate and the Speaker of the House to delay this review in order to complete the committee's legislative work. If the President of the Senate and the Speaker of the House approve the request, the time periods for legislative action begin on the date the Legislature adjourns.

Paperless Chamber Request for Proposals  
Appendix 4 – Chamber Support Systems

**Chamber Support Systems:**

The Senate and House use several integrated computer applications to support the operations in each Chamber. The bill management application receives data from and provides data to the Legislative Data Repository (LDR). These applications are proprietary and were developed by International Roll-Call Corp.

The Chamber Support Systems are:

LawMaker – LawMaker is comprised of modular components that perform a variety of functions regarding the preparation and presentation of a bill for voting and the editing, tracking, and reporting that occurs after the bill is voted upon. This includes the Calendar, Journal, Bill Management, Bill Stamping, Bill Status and Web Publishing functions.

Voting - the Voting System enables member voting, manages the votes, records the votes and outputs the results.

Request to Speak - The Request to Speak system integrates with the Session software and allows the presiding officer or staff person to manage the members requesting to speak on the floor.

**Paperless Chamber Process Request for Proposals  
Appendix 5 – Sample Documents  
Advance Journal and Calendar**



# The House Calendar

The Advance Journal and Calendar of the House of  
Representatives

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**ONE HUNDRED AND TWENTY-THIRD MAINE LEGISLATURE**

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**FIRST REGULAR SESSION**

53rd Legislative Day

Thursday, June 7, 2007

Calling of the House to Order by the Speaker.

Prayer by Pastor Randall Burns, Military Street Baptist Church, Houlton.

Pledge of Allegiance.

Reading of the Journal of yesterday.

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**Glenn Cummings, Speaker**

**Millicent M. MacFarland, Clerk**

<http://janus.state.me.us/house/hcalfr.htm>

Printed on recycled paper

**SPECIAL SENTIMENT CALENDAR**

In accordance with House Rule 519 and Joint Rule 213, the following items:

**Recognizing:**

(5-1) Camp Rainbow, of Ellsworth, on its 20 years of bringing joy to young cancer patients. Founded in 1987, the camp offers children ages 4 to 18 swimming, athletics and other activities on Branch Lake, as well as 24-hour medical support and on-site cancer treatments. The camp is made possible through a partnership with the American Cancer Society, Eastern Maine Health Systems, Ronald McDonald House and the Bangor YMCA. Most of all, Camp Rainbow relies on its staff, many of whom have worked at the camp since its beginning. We extend our congratulations and best wishes to Camp Rainbow and to all the people who make it a comfortable and safe place to be;

(SLS 290)

(5-2) Richard Lacourse, of Lewiston, for his many years of dedicated service to his community, to the State and to his Nation. Mr. Lacourse is a veteran of the United States Armed Forces with 4 years of active service in Japan during the Korean War. He spent 28 years with the United States Air Force reserve in South Portland and with the 1125th Army Hospital in Auburn. He retired from the hospital as a 1st Shirt in charge of the unit. Mr. Lacourse has been chair of the Red Cross chapter in Auburn and a first aid instructor and an emergency medical technician. He started the Buckfield Rescue Unit and was also a selectman for that town for many years. Mr. Lacourse was a ski patrol leader at Lost Valley for many years and started and headed the Junior Patrol there. He is also a member of the National Ski Patrol. We acknowledge his long history of helping others and contributing to causes for the betterment of his community and State. We send him our appreciation and best wishes;

(SLS 292)

(5-3) Matthew Plumley, of Standish, a member of Boy Scout Troop No. 875, who has attained the high rank and distinction of Eagle Scout. This is the highest award in Boy Scouting and is given for excellence in skills development, leadership, personal growth and community service. For his Eagle Scout project, Matthew renovated the basement of the Richville Public Library in Standish. In preparation for this work he had to clean out decades of materials that had collected in the library. He then undertook the task of insulating the space before he and his helpers could build and install new shelving which provided the library with much needed usable space. We extend our congratulations to Matthew on this achievement;

(HLS 551)

Presented by Representative PLUMMER of Windham.  
Cosponsored by Senator DIAMOND of Cumberland, Representative MOORE of Standish, Representative ROBINSON of Raymond.

(5-4) Cianbro Corporation of Pittsfield and Reed & Reed of Woolwich for winning the 2007 Build Maine Award presented by the Associated Constructors of Maine for their joint construction of the Penobscot Narrows Bridge. Cianbro and Reed & Reed, normally competitors of each other, joined forces for this project and produced one of the modern engineering marvels of our time, which will be used and enjoyed for generations to come. We congratulate Cianbro Corporation and Reed & Reed on their receiving this well-deserved award and we commend them for uniting to produce the Penobscot Narrows Bridge. We wish them well in the future;

(HLS 553)

Presented by Representative AUSTIN of Gray.  
Cosponsored by Senator ROSEN of Hancock, Senator BENOIT of Sagadahoc, Senator DAMON of Hancock, Senator MARRACHÉ of Kennebec, Representative ROSEN of Bucksport, Representative FITTS of Pittsfield, Representative MARLEY of Portland, Representative GROSE of Woolwich, Representative MOORE of Standish.

(5-5) Will Reid, of Skowhegan, for his years of service to his town. Mr. Reid served on the Conservation Committee from April of 1992 to April of 2007. We join the Town of Skowhegan in sending appreciation for his many years of dedication to the betterment of his community and we send him our best wishes;

(HLS 554)

Presented by Representative FINLEY of Skowhegan.  
Cosponsored by Senator MILLS of Somerset.

(5-6) the Honorable Pamela Hatch, of Skowhegan, on her years of service to the Town of Skowhegan. Mrs. Hatch served as selectperson from March 2001 through June 2007. She also served four terms in the Maine House of Representatives and one term in the Maine State Senate. She and her husband, Paul, plan to spend the summer at their camp and relax after many years of dedicated service to the community. We join the Town of Skowhegan in sending our appreciation to Mrs. Hatch for her years of service to her community and to the State;

(HLS 555)

Presented by Representative FINLEY of Skowhegan.  
Cosponsored by Senator MILLS of Somerset.

(5-7) Martin McKeon, of Sanford, who has been nominated for Maine's 2008 Teacher of the Year. Mr. McKeon is a teacher at Sanford High School. He was named 2006-2007 Sanford Teacher of the Year. He is to be commended for his many years of preparing young people for the challenges they will face in college and in the workforce. We extend our congratulations to Mr. McKeon and wish him the best of luck in the Maine Teacher of the Year program selection process;

(HLS 556)

Presented by Representative NASS of Acton.  
Cosponsored by Senator COURTNEY of York, Representative TUTTLE of Sanford, Representative BOLAND of Sanford.

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**REPORTS OF COMMITTEE**

**Ought to Pass Pursuant to Joint Order**

(6-1) Representative PATRICK for the **Joint Standing Committee on Legal and Veterans Affairs** on Bill "An Act Regarding the Central Voter Registration System" (EMERGENCY)  
(H.P. 1358) (L.D. 1921)

Reporting **Ought to Pass** pursuant to Joint Order 2007, H.P. 1329.

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**Divided Report**

(6-2) Majority Report of the Committee on **LEGAL AND VETERANS AFFAIRS** reporting **Ought Not to Pass** on Bill "An Act To Allow a Casino in Oxford County"  
(H.P. 1276) (L.D. 1828)

Signed:

Senators:

MARRACHÉ of Kennebec  
PLOWMAN of Penobscot

Representatives:

WEDDELL of Frankfort  
PINKHAM of Lexington Township  
TRINWARD of Waterville  
TUTTLE of Sanford  
NASS of Acton  
GOULD of South Berwick  
BLANCHETTE of Bangor

Minority Report of the same Committee reporting **Ought to Pass as Amended by Committee Amendment "A" (H-446)** on same Bill.

Signed:

Senator:

BRYANT of Oxford

Representatives:

MOORE of Standish  
PATRICK of Rumford  
FITTS of Pittsfield

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**CONSENT CALENDAR**

**First Day**

In accordance with House Rule 519, the following items appeared on the Consent Calendar for the First Day:

(7-1) (H.P. 406) (L.D. 528) Bill "An Act To Improve the Business Equipment Tax Exemption" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-453)**

(7-2) (H.P. 793) (L.D. 1075) Bill "An Act To Establish the Maine Local Land Trust Fund" Committee on **AGRICULTURE, CONSERVATION AND FORESTRY** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-452)**

(7-3) (H.P. 811) (L.D. 1093) Bill "An Act To Exempt Fuels Used in Farm Tractors from the Sales Tax" Committee on **TAXATION** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-454)**

(7-4) (H.P. 1032) (L.D. 1470) Bill "An Act To Clarify the Laws Regarding Physicians" Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-449)**

(7-5) (H.P. 1275) (L.D. 1827) Bill "An Act To License Certified Professional Midwives To Promote Greater Public Safety and Access" Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** reporting **Ought to Pass as Amended by Committee Amendment "A" (H-450)**

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**CONSENT CALENDAR****Second Day**

In accordance with House Rule 519, the following items appeared on the Consent Calendar for the Second Day:

(8-1) (S.P. 12) (L.D. 2) Bill "An Act To Provide a Tax Credit for the Purchase of a Hybrid or Clean Fuel Vehicle" (C. "A" S-195)

(8-2) (S.P. 90) (L.D. 253) Bill "An Act To Implement the Recommendations of the Joint Select Committee on Research, Economic Development and the Innovation Economy" (C. "A" S-196)

(8-3) (S.P. 138) (L.D. 437) Bill "An Act To Address the Reporting of Oil Spills" (C. "A" S-197)

(8-4) (S.P. 169) (L.D. 514) Bill "An Act To Protect Community Safety by Amending Maine's Bail Code" (C. "A" S-198)

(8-5) (S.P. 275) (L.D. 882) Bill "An Act To Create a 5-year Statute of Limitations for Environmental Violations" (C. "A" S-202)

(8-6) (S.P. 306) (L.D. 955) Bill "An Act To Amend the Employment Practices Law Regarding Substance Abuse Testing of Temporary Workers" (C. "A" S-190)

(8-7) (S.P. 320) (L.D. 1003) Bill "An Act To Amend the Tax Credit for Biofuel Production" (C. "A" S-182)

(8-8) (S.P. 371) (L.D. 1119) Bill "An Act To Permit Mental Health Professionals To Disclose Risks to People Likely To Be Harmed by a Patient" (C. "A" S-189)

(8-9) (S.P. 646) (L.D. 1817) Bill "An Act To Strengthen and Clarify Maine's Motor Vehicle Laws" (C. "A" S-200)

(8-10) (S.P. 681) (L.D. 1873) Bill "An Act To Amend the Laws Governing Stalking" (C. "A" S-199)

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**BILLS IN THE SECOND READING**

**Senate as Amended**

(9-1) Bill "An Act To Protect Network Neutrality"

(S.P. 580) (L.D. 1675)  
(C. "A" S-192)

**House as Amended**

(9-2) Bill "An Act To Base Value in Eminent Domain Takings of Businesses on Going Concern Value"

(H.P. 720) (L.D. 960)  
(C. "A" H-434)

Reported by the Committee on **Bills in the Second Reading.**

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**ENACTORS**

**Emergency Measure**

(10-1) An Act To Amend Certain Laws Affecting Transportation

(S.P. 270) (L.D. 860)

(C. "A" S-177)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed. This being an emergency measure, a two-thirds vote of all the members elected to the House necessary.

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**Acts**

(10-2) An Act To Promote County-based Economic and Community Development

(S.P. 324) (L.D. 1007)

(C. "A" S-160)

Reported by the Committee on **Engrossed Bills** as truly and strictly engrossed.

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**ORDERS OF THE DAY  
HOUSE CALENDAR  
THURSDAY, JUNE 7, 2007**

**UNFINISHED BUSINESS**

The following matters, in the consideration of which the House was engaged at the time of adjournment yesterday, have preference in the Orders of the Day and continue with such preference until disposed of as provided by House Rule 502.

1. House Order To Add House Rule 108 Restricting Electronic Communications  
(H.O. 13)

TABLED - January 23, 2007 by Representative ADAMS of Portland.  
PENDING - **PASSAGE** (2/3 Vote Required).

2. An Act To Allow Municipalities To Establish Foundations To Support Education  
(H.P. 533) (L.D. 702)

TABLED - April 10, 2007 (Till Later Today) by Representative PINGREE of North Haven.  
PENDING - **PASSAGE TO BE ENACTED.**

3. House Resolution Expressing the Support of the House of Representatives For Protecting the Integrity of Clam Flats in Machiasport  
(H.R. 1)

TABLED - April 26, 2007 (Till Later Today) by Representative EMERY of Cutler.  
PENDING - **ADOPTION.**

4. HOUSE DIVIDED REPORT - Majority (10) **Ought Not to Pass** - Minority (3) **Ought to Pass as Amended by Committee Amendment "A" (H-197)** - Committee on **HEALTH AND HUMAN SERVICES** on Bill "An Act Protecting the Confidentiality of Prescription Information" (H.P. 637) (L.D. 838)

TABLED - May 8, 2007 (Till Later Today) by Representative PERRY of Calais.  
PENDING - **ACCEPTANCE OF EITHER REPORT.**

5. HOUSE DIVIDED REPORT - Majority (9) **Ought Not to Pass** - Minority (3) **Ought to Pass as Amended by Committee Amendment "A" (H-261)** - Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Adjust the School Funding Formula with Regard to Unorganized Territories" (H.P. 368) (L.D. 484)

TABLED - May 22, 2007 (Till Later Today) by Representative NORTON of Bangor.  
PENDING - **ACCEPTANCE OF EITHER REPORT.**

6. HOUSE DIVIDED REPORT - Majority (10) **Ought to Pass as Amended by Committee Amendment "A" (H-272)** - Minority (2) **Ought Not to Pass** - Committee on **BUSINESS, RESEARCH AND ECONOMIC DEVELOPMENT** on Bill "An Act To Allocate the Number of Redemption Centers Based on Population" (H.P. 1122) (L.D. 1600)

TABLED - May 23, 2007 (Till Later Today) by Representative SMITH of Monmouth.  
PENDING - **ACCEPTANCE OF EITHER REPORT.**

7. Bill "An Act To Clarify the Method of Education Cost Sharing among Certain Municipalities"

(H.P. 1112) (L.D. 1590)  
(C. "A" H-262)

TABLED - May 23, 2007 (Till Later Today) by Representative PINGREE of North Haven.  
PENDING - **PASSAGE TO BE ENGROSSED.**

8. HOUSE DIVIDED REPORT - Majority (10) **Ought to Pass as Amended by Committee Amendment "A" (H-297)** - Minority (3) **Ought Not to Pass** - Committee on **TAXATION** on Bill "An Act To Repeal the Maine Use Tax"

(H.P. 695) (L.D. 920)

TABLED - May 24, 2007 (Till Later Today) by Representative PINGREE of North Haven.  
PENDING - **ACCEPTANCE OF EITHER REPORT.**

9. SENATE DIVIDED REPORT - Majority (8) **Ought to Pass as Amended by Committee Amendment "A" (S-157)** - Minority (4) **Ought Not to Pass** - Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Establish the Town Academy Advisory Council"

(S.P. 601) (L.D. 1694)

- In Senate, Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-157).**

TABLED - May 31, 2007 (Till Later Today) by Representative NORTON of Bangor.  
PENDING - **ACCEPTANCE OF EITHER REPORT.**

10. SENATE DIVIDED REPORT - Majority (8) **Ought to Pass as Amended by Committee Amendment "A" (S-129)** - Minority (4) **Ought Not to Pass** - Committee on **INSURANCE AND FINANCIAL SERVICES** on Bill "An Act To Create the Insurance Fraud Division within the Bureau of Insurance"

(S.P. 230) (L.D. 713)

- In Senate, Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-129)**.

TABLED - May 31, 2007 (Till Later Today) by Representative BRAUTIGAM of Falmouth.  
PENDING - **ACCEPTANCE OF EITHER REPORT.**

11. Bill "An Act To Encourage Manufacturing by Expanding Pine Tree Development Zones"

(H.P. 540) (L.D. 719)

(C. "A" H-330)

TABLED - May 31, 2007 (Till Later Today) by Representative PINGREE of North Haven.  
PENDING - **PASSAGE TO BE ENGROSSED.**

12. HOUSE DIVIDED REPORT - Majority (9) **Ought to Pass as Amended by Committee Amendment "A" (H-403)** - Minority (4) **Ought Not to Pass** - Committee on **EDUCATION AND CULTURAL AFFAIRS** on Bill "An Act To Improve the Essential Programs and Services Funding Formula"

(H.P. 759) (L.D. 1041)

TABLED - June 5, 2007 (Till Later Today) by Representative NORTON of Bangor.

PENDING - Motion of same Representative to **ACCEPT** the Majority **OUGHT TO PASS AS AMENDED** Report.

13. An Act To Improve Road Safety and Update Bicycling Laws

(S.P. 643) (L.D. 1808)  
(C. "A" S-166)

TABLED - June 5, 2007 (Till Later Today) by Representative FAIRCLOTH of Bangor.

PENDING - **PASSAGE TO BE ENACTED.**

14. Bill "An Act To Create a Saltwater Recreational Fishing License"  
(H.P. 1263) (L.D. 1811)

- In House, **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-363)** on June 5, 2007.

- In Senate, Bill and accompanying papers **INDEFINITELY POSTPONED** in **NON-CONCURRENCE**.

TABLED - June 6, 2007 (Till Later Today) by Representative PERCY of Phippsburg.

PENDING - Motion of same Representative to **INSIST**.

15. **HOUSE DIVIDED REPORT - Majority (10) Ought to Pass pursuant to the Maine Revised Statutes, Title 5, section 3327, subsection 4 - Minority (2) Ought Not to Pass pursuant to the Maine Revised Statutes, Title 5, section 3327, subsection 4 - Committee on UTILITIES AND ENERGY** on Bill "An Act To Stimulate Demand for Renewable Energy"

(H.P. 1356) (L.D. 1920)

TABLED - June 6, 2007 (Till Later Today) by Representative BLISS of South Portland.

PENDING - Motion of same Representative to **ACCEPT** the Majority **OUGHT TO PASS** pursuant to the **Maine Revised Statutes, Title 5, section 3327, subsection 4** Report.

16. SENATE DIVIDED REPORT - Majority (7) **Ought to Pass as Amended by Committee Amendment "A" (S-203)** - Minority (6) **Ought Not to Pass** - Committee on **CRIMINAL JUSTICE AND PUBLIC SAFETY** on Bill "An Act To Change the Statute of Limitations for Gross Sexual Assault by a Juvenile"

(S.P. 535) (L.D. 1512)

- In Senate, Majority **OUGHT TO PASS AS AMENDED** Report **READ** and **ACCEPTED** and the Bill **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-203)**.

TABLED - June 6, 2007 (Till Later Today) by Representative BLANCHETTE of Bangor.

PENDING - Motion of same Representative to **ACCEPT** the Minority **OUGHT NOT TO PASS** Report.

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STATUTORY ADJOURNMENT DATE JUNE 20, 2007

**NOTICE**

House Divided Report that will appear on the House Calendar later:

(1) From the Committee on **Business, Research and Economic Development** on Bill "An Act To Amend the Licensing of Landscape Architects"

(H.P. 1249) (L.D. 1787)

**Ought to Pass as Amended by Committee Amendment "A" (H-451)** (11 members)

**Ought Not to Pass** (2 members)

*Millicent M. MacFarland*  
Millicent M. MacFarland  
Clerk of the House

**Paperless Chamber Process Request for Proposals  
Appendix 5 – Sample Documents  
Calendar Supplement**

State of Maine  
House of Representatives  
123rd Legislature  
First Regular Session  
HOUSE ADVANCE JOURNAL AND CALENDAR  
<http://janus.state.me.us/house/hcalfr.htm>

Thursday, June 21, 2007

**SUPPLEMENT NO. 14**

**SENATE PAPERS**

**Non-Concurrent Matter**

(1-1) An Act To Encourage Wind Energy Development

(S.P. 351) (L.D. 1099)

**PASSED TO BE ENACTED** in the House on June 18, 2007. (Having previously been **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-313)**)

Comes from the Senate with the Bill and accompanying papers **COMMITTED** to the Committee on **UTILITIES AND ENERGY** in **NON-CONCURRENCE**.

---

**Non-Concurrent Matter**

(1-2) An Act Relating to Retirement and Death Benefits for Certain Law Enforcement Officers

(S.P. 577) (L.D. 1672)

**PASSED TO BE ENACTED** in the House on June 15, 2007. (Having previously been **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (S-257)**)

Comes from the Senate with the Bill and accompanying papers **COMMITTED** to the Committee on **LABOR** in **NON-CONCURRENCE**.

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**Non-Concurrent Matter**

(1-3) Resolve, Regarding the Maine State Cultural Building in Augusta  
(EMERGENCY)

(H.P. 1308) (L.D. 1876)

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**FINALLY PASSED** in the House on June 14, 2007. (Having previously been **PASSED TO BE ENGROSSED AS AMENDED BY COMMITTEE AMENDMENT "A" (H-400) AS AMENDED BY HOUSE AMENDMENT "A" (H-466)** thereto)

Comes from the Senate with the Resolve and accompanying papers **COMMITTED** to the Committee on **STATE AND LOCAL GOVERNMENT** in **NON-CONCURRENCE**.

---

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 8 MRSA §374, sub-§6** is enacted to read:

3 **6. Veterans cash lottery game.** No later than January 30, 2008, the Maine State  
4 Lottery Commission, in consultation with the Department of Defense, Veterans and  
5 Emergency Management, Bureau of Maine Veterans' Services, shall develop and initiate  
6 a veterans lottery game designed to raise funds for the Veterans Cash Fund established  
7 pursuant to Title 37-B, section 505. The Maine State Lottery Commission shall provide  
8 the net proceeds of this veterans lottery game to the Veterans Cash Fund annually.

9 **Sec. 2. 8 MRSA §387, sub-§1**, as amended by PL 2003, c. 414, Pt. B, §18 and  
10 affected by c. 614, §9, is further amended to read:

11 **1. Appropriation.** The money in the State Lottery Fund may be appropriated only:

12 A. For the payment of prizes to the holders of winning lottery tickets or shares;

13 B. For the expense of the division in its operation of the lottery;

14 C. For payment to the General Fund; ~~and~~

15 D. For payment to the Maine Outdoor Heritage Fund pursuant to Title 12, section  
16 10302; and

17 E. For payment to the Veterans Cash Fund pursuant to Title 37-B, section 505.

18 **Sec. 3. 37-B MRSA §505, sub-§6** is enacted to read:

19 **6. Veterans Cash Fund; established.** There is established the Veterans Cash Fund.  
20 The fund consists of revenue received pursuant to Title 8, section 387. The fund, to be  
21 accounted within the Bureau of Maine Veterans' Services, must be held separate and  
22 apart from all other money, funds and accounts. Any balance remaining in the fund at the  
23 end of any fiscal year must be carried forward to the next fiscal year. The fund is for the  
24 sole purpose of providing services and benefits to veterans in a manner to be determined  
25 by the Bureau of Maine Veterans' Services.

26

## SUMMARY

27 This bill directs the Maine State Lottery Commission and the Department of Defense,  
28 Veterans and Emergency Management, Bureau of Maine Veterans' Services to design  
29 and establish a veterans cash lottery game. The proceeds from the game will go to  
30 support the Bureau of Maine Veterans' Services. This bill also establishes the Veterans  
31 Cash Fund, an interest-bearing account into which the net revenue from the lottery ticket  
32 sales will be deposited.

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Date: (Filing No. H- )

**TAXATION**

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
123RD LEGISLATURE  
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 661, L.D. 872, Bill, “An Act To Exempt Military Pensions and Survivors' Benefit Payments from State Income Tax”

Amend the bill by striking out all of section 2 (page 1, lines 35 to 40 and page 2, lineS 1 to 4 in L.D.) and inserting the following:

**Sec. 2. Appropriations and allocations.** The following appropriations and allocations are made.

**ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF  
Revenue Services - Bureau of 0002**

Initiative: Provides a one-time General Fund appropriation of \$11,000 in fiscal year 2007-08 for the computer programming costs associated with the military pension exemption.

<b>GENERAL FUND</b>	<b>2007-08</b>	<b>2008-09</b>
All Other	\$11,000	\$0
<b>GENERAL FUND TOTAL</b>	<u>\$11,000</u>	<u>\$0</u>

**SUMMARY**

This amendment amends the appropriations and allocations section for administrative costs.

**FISCAL NOTE REQUIRED**  
(See attached)

COMMITTEE AMENDMENT “ ” to H.P. 661, L.D. 872

Page 2- 123LR0214(02)-1

**COMMITTEE AMENDMENT**

Paperless Chamber Request for Proposals  
Appendix 6 – Legislative Data Repository

**Legislative Data Repository (LDR)**

The Legislature has established a process of exchanging data between software applications via a shared common data repository.

Legislative databases are based on MS-SQL architecture.

Applications push data updates to the LDR as data within the application is changed. Applications using the data can either poll the LDR or have data automatically pushed and perform an update of its data.

An example of a data exchange between applications via the LDR would be the assignment of a Legislative Document (LD) Number by the Senate and House in the LawMaker application. The LD number will then follow via the LDR to the appropriate records in bill drafting, bill tracking and the bill status.

Data contained in the LDR will be available to support the Paperless Chamber Process application software.

# Paperless Chamber Process Request for Proposals

## Appendix 7, ADA Compliance

### 1. Software

#### 1.1 Keyboard Access

- 1.1.1 A program must provide keyboard access to all functions of the application. All actions required or available by the program must be available as an alternative to the use of the mouse and with keystrokes, i.e., keyboard equivalents for all mouse actions including but not limited to, buttons, scroll windows, text entry fields, pop-up boxes and pull down lists.
- 1.1.2 A program must have a keyboard control sequence among all program controls and focal points. (e.g. The sequence of the tab or up/down arrows must follow a logical method of navigating from field to field or up/down arrow to the next list item. In the case of the tab key, the proper format would be from left to right and top to bottom of screen.)
- 1.1.3 The focus must follow the keystroke, that is, using the arrow keys to navigate through a list followed by pressing the ENTER key or spacebar to select the desired item.
- 1.1.4 The software shall not interfere with existing accessibility features built into the operating system, such as Sticky keys, Slow Keys and Repeat Keys.
- 1.1.5 Timed responses are not to be used unless the timing parameter can be adjusted by an individual user.
- 1.1.6 There shall be selectable visual and auditory indication of key status for all toggle keys. (i.e. visual and auditory status indicators for keys such as the Number Lock, Shift/Caps, and Scroll Lock keys.)
- 1.1.6.A The application must allow the user to change the status of toggle keys with keystrokes. (e.g. Fully keystroke available menus or facsimile must be provided.)
- 1.1.7 Keystrokes for all controls should be consistent throughout the entire application. For example, a shortcut key that activates a function on one screen should activate the same function for all occurrences of that function.

#### 1.2 Icons

- 1.2.1 All icons/graphical controls shall have clear precise text labels included on the focus or provide a user-selected option of text-only buttons.
- 1.2.2 The use of icons shall be consistent throughout the application
- 1.2.3 Pull-down menu equivalents must be provided for Icon/graphical control functions. (e.g. Any icon/graphical control that opens a pull down list and is not directly available with keyboard navigation must have keyboard alternatives to open the same pull down.)
- 1.2.4 For graphic text, system text drawing tools or other industry standard methods must be used so that screen reader software can interpret the image. Standard text must accompany any graphical representation that includes text.

#### 1.3. Sounds

- 1.3.1 A visual cue for all audio alerts must be provided.
- 1.3.2 The Sounds feature must be supported where built into the operating system. The user must be allowed to disable or adjust sound volume
- 1.3.3 Information conveyed by audio interface that is not captioned must be available by transcription in a timely manner and must be fully accessible with standard documentation. (e. g. Timely should be understood to mean not past the relevance of the audio information conveyed.)

#### 1.4. Display

- 1.4.1 Color-coding is not to be used as the only means of conveying information or indicating an action. An alternative or parallel method that can be used by individuals who do not possess the ability to identify colors must always be provided.

## Paperless Chamber Process Request for Proposals

### Appendix 7, ADA Compliance

- 1.4.2 The application must support user defined color settings system wide if the development tool allows for this possibility. Highlighting should also be Viewable with inverted colors, DEVELOPMENT TOOLS PERMITTING. Note: Development tools that offer this flexibility are highly recommended.
- 1.4.3 No patterned backgrounds behind text or important graphics are to be used.
- 1.4.4 User adjustment of, or user disabling of flashing, rotating or moving displays must be permitted to the extent that it does not interfere with the purpose of the application.

### 1.5. Field Labeling

- 1.5.1 Consistently position the descriptions or labels for data fields immediately to the left the field.

### 2. Reports and Program Output

- 2.1 All reports and program output must be available in a format that is accessible by screen readers and other access systems. Examples of accessible text formats are MS Word, MS Excel, straight text and HTML text.

### 3. Documentation

- 3.1 All documentation must be accessible through industry standard accessibility tools.
- 3.2 Accessibility features must be written and provided as part of documentation for the product.