

MAINE STATE LEGISLATURE

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MAINE STATE LEGISLATURE
Augusta, Maine 04333

**125th Legislature
Legislative Council**

Organizational Meeting

**December 2, 2010
2:30 P.M.**

AGENDA

<u>Page</u>	<u>Item</u>	<u>Action</u>
	I. CALL TO ORDER	
	II. ROLL CALL	
	III. ELECTION OF OFFICERS FOR THE LEGISLATIVE COUNCIL OF THE 125TH LEGISLATURE	Election
1	IV. ADOPTION OF LEGISLATIVE COUNCIL RULES OF PROCEDURE FOR 125th LEGISLATURE Proposed Rules of Procedure for Legislative Council (attached)	Adoption
	V. SUMMARY OF NOVEMBER 10, 2010 MEETING OF LEGISLATIVE COUNCIL (Not Available)	
	VI. REPORTS FROM EXECUTIVE DIRECTOR AND COUNCIL STAFF OFFICES (None)	
	VII. OLD BUSINESS (No Old Business)	

VIII. NEW BUSINESS

4	Item #1: Summary of Legislative Council Authority and Duties	Information
21	Item # 2: Establishment of Initial Salaries for Constitutional Officers	Decision
23	Item #3: Establishment of Initial Salaries for Clerk of the House and Secretary of the Senate	Decision
25	Item #4: Suggested Policy for Processing Closely Related Legislator Bill Requests (Ms. Gresser)	Decision
	Item #5: Acquisition of Insurance and Financial Services Committee Room for use as Senate Majority Staff Offices	Decision
27	Item #6: Annual Report of Washington County Development Authority, 2009-2010	Acceptance
33	Item #7: Notification from Maine State Museum regarding addition of Governor John E. Baldacci Portrait to State House Portrait Collection	Information

IX. ANNOUNCEMENTS AND REMARKS

X. ADJOURNMENT



MAINE STATE LEGISLATURE
Augusta, Maine 04333

[suggested rules of procedure]

MAINE LEGISLATIVE COUNCIL
125th LEGISLATURE

RULES OF PROCEDURE

December 2, 2010

1. **Organizational Meeting:** The President of the Senate shall call the biennial organizational meeting of the Legislative Council into session in December following the convening of the new Legislature and shall preside until the election of the chair of the Legislative Council.
2. **Chair:** At its organizational meeting, the Legislative Council shall elect a chair, who shall preside at all meetings of the council when he or she is present. The position of Legislative Council chair must alternate in succeeding biennial sessions between a member from the Senate and a member from the House of Representatives. Therefore, for the 125th Legislature, the chair must be a Senator.
3. **Vice Chair:** The Legislative Council shall elect a vice-chair who shall serve as chair in the absence of the chair. The vice-chair may not be a member of the same chamber of the Legislature as that of the chair.
4. **Quorum:** The Legislative Council may conduct business only when a quorum of members is present, which consists of six (6) members. Any action of the council requires the affirmative votes of not less than 6 members.
5. **Meetings:** The meeting schedule for the Legislative Council is determined by the call of the chair for the 125th Legislature or by a majority vote of the council. The council shall meet at least once per month, on a regularized schedule.
6. **Meeting Room and Location:** The official meeting location of the Legislative Council is the Legislative Council Chamber, Room 334, in the State House, and the chair shall convene all meetings there unless an alternative location is specified in the call of the meeting. The Office of the Executive Director is responsible for use and scheduling of activities of the Legislative Council Chamber. Meetings of the Legislative Council or its committees take precedence over all other functions in the Legislative Council Chamber.

The Legislative Council Chamber may not be used for press conferences or other media events; however, the chair of the Legislative Council or the Executive Director, if delegated by the chair, may authorize an exception when the chair determines that such use is appropriate and will not interfere with legislative activities.

7. **Meeting Notice:** The chair shall issue written calls for all regular and special meetings of the Legislative Council. The call must give the date, time, and place of the meeting and such other information as the chair directs.
8. **Public Meetings:** All meetings of the Legislative Council are public meetings except for executive sessions; the council may not take any final action in an executive session.
9. **Council Committees:** The chair shall make all appointments to committees established by the Legislative Council. Each committee must include at least three council members and must have representation from each of the two major political parties. At a minimum, the council shall establish Personnel and State House Facilities committees.
10. **Approval of Step Increases:** All step increases that require a vote of the Legislative Council during the 125th Legislature are approved for the term of this council if, after review, a majority of the Personnel Committee approves the step increases.
11. **Council Agenda and Records:** The Executive Director of the Legislative Council shall prepare, in consultation with the chair, meeting notices and a council agenda in advance of each meeting. The executive director shall also maintain an accurate, permanent public record of all meetings, proceedings and votes of the Legislative Council.
12. **Order of Business:** The regular order of business of the Legislative Council is:
 1. Call to Order
 2. Roll Call
 3. Summary of Previous Council Meeting
 4. Executive Director's Report
 5. Reports from Council Committees
 6. Old Business
 7. New Business
 8. Announcements and Remarks
 9. Adjournment

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

13. **Circulation of Ballots:** The chair and the vice-chair, jointly, may authorize a Legislative Council member to circulate a ballot for Legislative Council action when they determine that the matter to be voted on must be decided before the next regular meeting of the council. The executive director shall prepare all ballots authorized for circulation among

council members and shall certify votes taken by ballot. Each member of the Legislative Council must be presented with the ballot and given an opportunity to vote on the ballot. If a member is unable to vote on a ballot by virtue of his or her absence from the State House, the member may authorize the Executive Director to record and attest to his or her vote. Upon certification of the votes on a ballot, the executive director will report the results of the voting to the chair of the Legislative Council. In addition, actions taken by Legislative Council ballot must be reported at the next or following regular meeting of the council.

14. **Roll Call Votes:** Votes requiring a roll-call shall be made by the executive director calling the roll, a showing of hands or by electronic tabulation as long as the matter being voted on, how each member voted and the results of the vote are accurately determined and recorded. The executive director shall announce the vote following a roll-call. All decisions of the Legislative Council regarding the introduction of bills or other measures must be by a roll-call vote.
15. **Statements to News Organizations:** Only the chair of the Legislative Council, executive director or persons specifically authorized by the chair may make official statements to news organizations or to the public on behalf of or representing the Legislative Council.
16. **Rules of Order:** The Legislative Council's presiding officer shall conduct the proceedings of the council in accordance with Robert's Rules of Order except as otherwise specified in the council's own rules or by law.
17. **Amendments to Rules:** The Legislative Council may amend these rules, with the exception of Rules 2 and 4, upon a two-thirds vote of the Council members present and voting, provided that a vote to amend is by at least six affirmative votes. Rules 2 and 4 may not be amended during the term of the 125th Legislative Council unless otherwise changed by law.
18. **Decisions Affecting Capitol Park:** Any action affecting Capitol Park, be it a temporary or permanent alteration or change in use, must be approved by a majority of the Council, consistent with these rules and 3 MRSA §162(17). Prior to a final decision on any proposal affecting Capitol Park, the Council or its executive director shall consult with the State House and Capitol Park Commission.

Adopted by the Legislative Council of the 125th Maine Legislature on December 2, 2010 at Augusta, Maine.

By:

David E. Boulter, Executive Director of the Legislative Council

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**Summary of Authority and Responsibilities
of the Legislative Council**

Maine Legislature

2010

Maine Revised Statute Title 3, Chapter 7: LEGISLATIVE COUNCIL

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Subchapter 1: GENERAL PROVISIONS

3 §161. LEGISLATIVE COUNCIL

There is established a Legislative Council to consist of 10 members, 5 of whom shall be members of the Senate and 5 of whom shall be members of the House of Representatives. They shall be the President of the Senate, the Speaker of the House of Representatives, the Floor Leaders and Assistants of the 2 major parties. Membership on the Legislative Council shall be by virtue of holding the above offices, and shall be during the term of the Legislature in which such offices are held. The Legislative Council shall elect a chairman from within its own membership. [1973, c. 590, §3 (RPR) .]

The Legislative Council shall exercise such powers and duties as may be delegated by law or by rule of the Legislature. Any action by the Legislative Council shall require the affirmative votes of a majority of the members. [1973, c. 590, §3 (RPR) .]

The Legislative Council shall meet at least once monthly when the Legislature is not in session and at such other times as the membership or the chairman deems necessary. [1979, c. 127, §5 (RPR) .]

SECTION HISTORY

1965, c. 425, §§2-B (AMD). 1973, c. 590, §3 (RPR). 1979, c. 127, §5 (AMD) .

3 §162. AUTHORITY

The Legislative Council shall have the authority: [1973, c. 590, §4 (RPR) .]

1. Legislative budgets. To prepare and approve all legislative budgets;

[1973, c. 590, §4 (RPR) .]

1-A. Budget requests. To authorize the Executive Director of the Legislative Council to prepare and submit a tentative consolidated legislative budget request and other budget requests necessary for the operation of the legislative branch and other additional information, as requested, directly to the State Budget Officer on or before September 1st of the even-numbered years prior to review by the Legislative Council. The Legislative Council shall review the tentative budget submission developed by the executive director, altering, revising, increasing or decreasing the items as may be determined necessary. Upon final approval of the full legislative budget request, the Legislative Council shall submit a report to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs outlining any differences from the tentative legislative budget submission;

[1997, c. 24, Pt. FF, §1 (NEW) .]

1-B. Office of Program Evaluation and Government Accountability budget. To present the budget request of the Office of Program Evaluation and Government Accountability to the State Budget Officer as provided in Title 5, section 1665. If the budget presented pursuant to subsection 1-A differs from the budget request submitted by the Office of Program Evaluation and Government Accountability pursuant to this subsection, the Legislative Council shall simultaneously submit a report to that office and to the State Budget Officer explaining why the Legislative Council's budget request differs from the budget request of the Office of Program Evaluation and Government Accountability.

[2001, c. 702, §1 (NEW) .]

2. Legislative employee salary and benefit schedules. To establish salary schedules for all employees of legislative agencies, departments and offices, except as otherwise provided by law, to develop relatively uniform salary schedules for House and Senate employees and officers and, notwithstanding any other

provision of law, to establish benefit schedules for legislative employees. Every publication that states the salary of an employee or a position must also include a statement of the dollar value of the fringe benefit package provided;

[1995, c. 37, §1 (AMD) .]

3. Joint committees. When the Legislature is not in session, to assign bills, resolves and studies for consideration by the joint standing committees and joint select committees of the Legislature, to request reports, studies and legislation from said joint standing committees and to convene meetings of said joint standing committees and joint select committees and to exercise supervision over them;

[1973, c. 590, §4 (RPR) .]

4. Oaths, subpoenas and depositions. To administer oaths, issue subpoenas, compel the attendance of witnesses and the production of any papers, books, accounts, documents and testimony, and to cause the deposition of witnesses, whether residing within or without the State to be taken in the manner prescribed by law for taking depositions in civil actions in the Superior Court. In case of disobedience on the part of any person to comply with any subpoena issued in behalf of a committee, or on the refusal of any witness to testify to any matters regarding which he may be lawfully interrogated, it shall be the duty of the Superior Court of any county, on application of a member of a committee, to compel obedience by proceedings for contempt as in the case of disobedience of the requirements of a subpoena issued from such court or a refusal to testify therein. Each witness, other than a state officer or employee, shall receive for his attendance the fees and mileage provided for witnesses in civil cases in courts of record, which shall be audited and paid upon the presentation of proper vouchers sworn to by such witness and approved by the chairman of the council;

[1973, c. 590, §4 (RPR) .]

5. Legislative improvements. To assess ways and means to improve the legislative operation and to make improvements in the legislative organization, procedures, facilities and working conditions, and to make periodic reports to the Legislature concerning its findings. Changes in the organization of the legislative staff offices shall require the approval of two-thirds of the membership of the Legislative Council before they may take effect;

[1985, c. 501, Pt. B, §1 (AMD) .]

6. Appointment of directors and officers. To appoint an Executive Director of the Legislative Council, a State Law Librarian and such other office directors as the council deems necessary. Each director shall be chosen without reference to party affiliations and solely on the grounds of fitness to perform the duties of his office; each to be appointed for a term of 3 years from the date of his appointment. Reappointment shall be based on performance in the office and shall be considered in accordance with policies and procedures established by the Legislative Council;

[1985, c. 501, Pt. B, §2 (AMD) .]

6-A. Transition. Any person serving as Legislative Administrative Director, Director or Assistant Director of Legislative Research, Legislative Finance Officer or Assistant Legislative Finance Officer or Director or Assistant Director of Legislative Assistants, on September 19, 1985 may continue to so serve until the expiration of the term for which that person was appointed, unless that person resigns or vacates office before September 19, 1985;

[1997, c. 2, §4 (COR) .]

7. Legislative agency operating policy. To establish operating policies for each legislative agency and office;

[1973, c. 590, §4 (RPR) .]

8. Oversight of legislative appropriations and accounts. To oversee the appropriations and other financial accounts, including position control, of the Legislature and of all legislative agencies, departments and offices and to comply with provisions of Title 5, Part 4 determined by the Legislative Council as relevant and applicable to the legislative branch and necessary for maintaining proper accounting controls and reporting. Appropriations for carrying out the purposes of this chapter must be made annually by the Legislature. All appropriations or allocations by the Legislature, including appropriations or allocations for specific studies to be carried out by the joint standing committees or joint select committees, may not lapse but must be carried forward and expended for the purpose for which the appropriation or allocation was made. The balance of any appropriation or allocation for such studies that is not fully expended must be refunded to the Legislature;

[2005, c. 12, Pt. LL, §1 (AMD) .]

8-A. Sale of publications. If the Legislative Council determines it advisable for the effective dissemination of statutory information or other information of general interest to the public, to fix the price, sell and deliver publications and materials produced by legislative agencies;

[1991, c. 1, (NEW) .]

9.

[1975, c. 770, §4 (RP) .]

10. Intergovernmental, interstate and interlegislative organizations. To coordinate and oversee intergovernmental relations programs on behalf of the Legislature, and to recommend to the Legislature participation by the Legislature and its members in interstate and inter-legislative organizations; and to apply for, receive and administer all grants and appropriations for these purposes;

[1973, c. 590, §4 (RPR) .]

11. Legislative equipment and supplies. To provide necessary furniture, stationery and other supplies and equipment for the use of the members, committees, agencies and offices of the Legislature;

[1973, c. 590, §4 (RPR) .]

12-A. Reserve Fund for State House Preservation and Maintenance. To administer the Reserve Fund for State House Preservation and Maintenance, established and maintained as provided in this subsection. The State Controller at the close of each fiscal year and at the request of the Legislative Council shall transfer from unexpended balances of General Fund appropriations to the Legislature to the Reserve Fund for State House Preservation and Maintenance available amounts up to \$250,000 a year until a maximum of \$1,500,000 is achieved. The State Controller is further authorized to transfer from the Reserve Fund for State House Preservation and Maintenance to the Blaine House Renovations and Repairs Fund the amounts recommended by the Legislative Council. The Reserve Fund for State House Preservation and Maintenance may also receive and accept allocations, appropriations, grants and contributions of money to be held, used or applied to carry out this subsection, subject to the conditions upon which these allocations, appropriations, grants and contributions are made. Expenditures from the Reserve Fund for State House Preservation and Maintenance are subject to legislative allocation, may be made only for major repairs and

renovations to the State House, must be reviewed and recommended by the State House and Capitol Park Commission and must receive a majority vote of the Legislative Council. Funds allocated or appropriated to the Reserve Fund for State House Preservation and Maintenance may not lapse but must be carried forward;

[2001, c. 358, Pt. E, §1 (AMD) .]

13. Transfers within the legislative appropriation. To approve any transfers within the legislative appropriation;

[1975, c. 770, §5 (RPR) .]

14. Council procedures. To establish published rules of procedure for the conduct of the business of the council;

[1973, c. 590, §4 (RPR) .]

15. Other duties and responsibilities. To perform such other duties and responsibilities as may be assigned to the council from time to time by the 2 Houses;

[1989, c. 410, §2 (AMD) .]

16. Funds from State, Federal Government and private sources. To accept, use, expend and dispose on behalf of the State funds, equipment, supplies and materials from any agency of the United States, from any private foundation and from any other private source;

[1991, c. 622, Pt. L, §1 (AMD) .]

16-A. Intellectual property. To use, manage or administer on behalf of the Legislature any copyright held by the Legislature or license to use copyrighted materials and to manage the copying, use and dissemination of copies of copyrighted materials in which the Legislature holds the copyright or a license;

[1999, c. 1, §2 (NEW) .]

17. Approve plans to preserve and develop the State House and the immediate grounds. To approve architectural, aesthetic and decorative alterations to the State House. The Legislative Council also has authority to preserve and develop the aesthetic and historical integrity of the State House and the immediate grounds. The exercise of this authority with respect to Capitol Park must be consistent with the plan for Capitol Park developed by the Olmsted Brothers firm in 1920 as revised by the Pressley firm in 1990. The Legislative Council has the power to enter into contracts and other powers necessary to implement this subsection and chapter 31;

[2001, c. 468, §1 (AMD) .]

18. Out-of-state travel report. To submit to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs a quarterly report on out-of-state travel activity of the Legislature. The report must be submitted within 15 days after the end of each quarter and must include, for each individual who has been authorized to travel, the destination, purpose and cost by funding source of each trip; and

[1997, c. 43, §2 (AMD) .]

19. Legislative information available through the Internet. To make the following information available through the Internet: legislative documents, committee hearing schedules, work session schedules, status of legislation, voting records of Legislators, the laws of Maine, study reports and reports of other study groups established by the Legislature and any other information designated by the Legislative Council.

[1997, c. 43, §3 (NEW) .]

SECTION HISTORY

P&SL 1973, c. 220, §3 (AMD). 1973, c. 590, §4 (RPR). 1975, c. 657, (AMD). 1975, c. 770, §§3-5 (AMD). 1979, c. 541, §§A7,A8 (AMD). 1981, c. 702, §R (AMD). 1983, c. 2, §1 (AMD). 1983, c. 584, (AMD). 1983, c. 824, §V (AMD). 1985, c. 501, §§B1-3 (AMD). 1989, c. 410, §§1-4 (AMD). 1991, c. 1, (AMD). 1991, c. 622, §§L1-3 (AMD). 1993, c. 415, §J1 (AMD). 1995, c. 37, §1 (AMD). RR 1997, c. 2, §4 (COR). 1997, c. 24, §§FF1,2 (AMD). 1997, c. 43, §§1-3 (AMD). 1997, c. 671, §1 (AMD). 1999, c. 1, §2 (AMD). 2001, c. 358, §E1 (AMD). 2001, c. 468, §1 (AMD). 2001, c. 702, §1 (AMD). 2005, c. 12, §LL1 (AMD).

3 §162-A. SALARIES SUBJECT TO ADJUSTMENT BY LEGISLATIVE COUNCIL

Notwithstanding any other provisions of law, the salaries of the following legislative officials are at the salary ranges indicated in this section. Except as provided below, at the time of initial appointment the salary of each of these officials may be set at Step A or Step B, but no higher than Step B, of their respective ranges, except that any employees of the office of the Secretary of the Senate or the office of the Clerk of the House of Representatives at the time of initial appointment must have their salary set at a step within their respective salary range so that no loss of gross pay is experienced by those employees. The Legislative Council may adjust the salary of each official by one step for each year of continuous service after the initial appointment to office. [1993, c. 6, Pt. J, §1 (AMD) .]

The salary ranges shall be those established by the Legislative Council for legislative staff. No other state salary may be paid to these officials. [1987, c. 349, Pt. K, §1 (NEW) .]

1. Range 14. The salaries of the following state officials and employees shall be within salary range 14:

Secretary of the Senate; and

Clerk of the House of Representatives.

2. Range 9.

[1993, c. 707, Pt. FF, §1 (RP) .]

3. Range 86.

[1983, c. 862, §4 (RP) .]

4. Range 88.

[1983, c. 862, §4 (RP) .]

5. Range 89.

[1983, c. 862, §4 (RP) .]

SECTION HISTORY

1981, c. 702, §X11 (NEW). 1983, c. 853, §§3-5 (AMD). 1983, c. 862, §§2-4 (AMD). 1987, c. 349, §K1 (RPR). 1987, c. 349, Pt. K, §1 (RPR). 1987, c. 769, §A2 (AMD). 1993, c. 6, §J1 (AMD). 1993, c. 707, §FF1 (AMD).

3 §162-B. SALARIES OF CONSTITUTIONAL OFFICERS

Notwithstanding any other provisions of law, the salaries of the following state officials shall be at the salary ranges indicated in this section. At the time of initial appointment, the salary of the Secretary of State and the Treasurer of State shall be set at the Step C of the official's respective range. At the time of initial appointment, the salaries of the Attorney General and the State Auditor shall be set at Step E of their salary ranges. The Legislative Council may adjust the salary of each official by one step for each year of continuous service after the initial appointment to office. [1989, c. 501, Pt. O, §§7,22 (AMD); 1989, c. 596, Pt. C, §8 (AMD); 1989, c. 600, Pt. B, §§9, 10 (AMD); 1989, c. 878, Pt. D, §§14, 15 (AMD).]

The salary ranges shall be as provided by law for confidential employees who take the salary increase option instead of state payment of retirement contribution. No other state salary may be paid. These officials are not eligible for state payment of employee retirement contributions. [1983, c. 862, §§5, 6 (NEW).]

1. Range 88. The salary of the following state officials and employees shall be within salary range 88, but shall not be less than Step C in that range:

A. Secretary of State; and [1989, c. 501, Pt. O, §§7,22 (AMD); 1989, c. 596, Pt. C, §8 (AMD); 1989, c. 600, Pt. B, §§9, 10 (AMD); 1989, c. 878, Pt. D, §§14, 15 (AMD).]

B. Treasurer of State. [1989, c. 501, Pt. O, §§7,22 (AMD); 1989, c. 596, Pt. C, §8 (AMD); 1989, c. 600, Pt. B, §§9, 10 (AMD); 1989, c. 878, Pt. D, §§14, 15 (AMD).]

[1989, c. 501, Pt. O, §§7,22 (AMD); 1989, c. 596, Pt. C, §8 (AMD); 1989, c. 600, Pt. B, §§9, 10 (AMD); 1989, c. 878, Pt. D, §§14, 15 (AMD).]

2. Range 89. The salary of the State Auditor shall be within salary range 89, but shall not be less than Step E in that range.

[1989, c. 501, Pt. O, §§7,22 (AMD); 1989, c. 596, Pt. C, §8 (AMD); 1989, c. 600, Pt. B, §§9, 10 (AMD); 1989, c. 878, Pt. D, §§14, 15 (AMD).]

3. Range 91. The salary of the Attorney General shall be within salary range 91, but shall not be less than Step E in that range.

[1989, c. 501, Pt. O, §§7,22 (AMD); 1989, c. 596, Pt. C, §8 (AMD); 1989, c. 600, Pt. B, §§9, 10 (AMD); 1989, c. 878, Pt. D, §§14, 15 (AMD).]

SECTION HISTORY

1983, c. 862, §§5,6 (NEW). 1989, c. 501, §§07,22 (AMD). 1989, c. 596, §C8 (AMD). 1991, c. 824, §§B13,14 (AFF).

3 §163. EXECUTIVE DIRECTOR OF THE LEGISLATIVE COUNCIL; DUTIES

The duties of the Executive Director of the Legislative Council are: [2003, c. 673, Pt. QQQ, §1 (AMD) .]

1. Executive officers. To act as executive officer of the Legislature when it is not in session and unless the Legislature otherwise orders, the Executive Director shall, with the cooperation of the Secretary of the Senate and the Clerk of the House of Representatives have custody of all legislative property and material, arrange for necessary supplies and equipment through the State Bureau of Purchases, arrange for necessary services, make all arrangements for incoming sessions of the Legislature, have general oversight of chambers and rooms occupied by the Legislature and permit state departments to use legislative property. The Executive Director may sell, in accordance with procedures established by the Legislative Council, unneeded legislative equipment and materials and, with the approval of the President of the Senate and the Speaker of the House of Representatives, dispose of obsolete or unusable equipment and materials through the Bureau of General Services' surplus property program. Proceeds from the sale of unneeded equipment and materials must be credited to the legislative account. The Executive Director has the authority to enter into contracts authorized by the Legislative Council and shall approve accounts and vouchers for payment. A perpetual inventory of all legislative property must be maintained under the supervision of the Legislative Council and an accounting of the inventory must be made to the Legislature upon its request.

[2003, c. 673, Pt. QQQ, §2 (AMD) .]

2. Supervision. To assign, direct and supervise, subject to the control of the council, the activities of the legislative staff offices. The Executive Director shall have no supervisory authority with respect to any persons employed pursuant to chapter 1 or section 168 of this title;

[1985, c. 501, Pt. B, §4 (AMD) .]

2-A. Appointment of legislative staff. To appoint, upon recommendation of the appropriate office director and subject to the approval of the Legislative Council, qualified persons to legislative staff positions based solely on their ability to perform their duties and without regard to party affiliation. The general duties and compensation of these positions shall be established under the direction of the council and in accordance with organizational and performance objectives established by the council. These legislative staff positions shall be unclassified and not subject to the civil service law.

[1985, c. 785, Pt. B, §4 (AMD) .]

3. Vehicle for requests. To act as a vehicle through which the several agencies, departments and offices of the Legislature may report to the council their budget requests, personnel and supply requirements and to assist the council in the orderly disposition of these requests.

[1973, c. 590, §5 (RPR) .]

4. Policy implementation. To be responsible for implementing policy resulting from decisions of the council.

[1973, c. 590, §5 (RPR) .]

5. Reports. To prepare such reports as are required of the council and maintain minutes of the regular meetings of the council.

[1983, c. 590, §5 (RPR) .]

6. Staff assistants.

[1983, c. 2, §3 (RP) .]

7. Other duties. To undertake such other duties as are assigned by the council.

Revision: subsections 1-4 should end ";", subsection 5 should end "; and"

[1973, c. 590, §5 (RPR) .]

SECTION HISTORY

1965, c. 341, §§1,2 (AMD). 1965, c. 412, §4 (AMD). 1965, c. 425, §§2-D (AMD). 1965, c. 465, (AMD). 1967, c. 357, (AMD). 1967, c. 476, §§1,2 (AMD). 1969, c. 8, §2 (AMD). 1969, c. 504, §§2,3 (AMD). 1969, c. 527, (AMD). 1971, c. 298, (AMD). 1973, c. 14, §3 (AMD). 1973, c. 590, §5 (RPR). 1973, c. 625, §7 (AMD). 1973, c. 788, §3 (AMD). 1983, c. 2, §§2,3 (AMD). 1985, c. 501, §B4 (AMD). 1985, c. 785, §B4 (AMD). 1989, c. 410, §5 (AMD). 2003, c. 673, §§QQQ1,2 (AMD).

3 §163-A. LEGISLATIVE STAFF SERVICES

Legislative staff shall provide the following services under the direction of the Executive Director:

[1985, c. 501, Pt. B, §5 (NEW) .]

1. Bill drafting. To furnish to the members of the Legislature the assistance of expert draftsman qualified to aid the Legislature in the preparation of bills for introduction into the Legislature;

[1985, c. 501, Pt. B, §5 (NEW) .]

2. Revision. Upon request, to assist any agency appointed to revise the statutes of the State or any portion of the statutes and, at the direction of such agency, to consolidate, revise and clarify the statutes of the State;

[1985, c. 501, Pt. B, §5 (NEW) .]

2-A. Engrossing. To engross all bills passed by the Legislature;

[1987, c. 816, Pt. KK, §2 (NEW) .]

3. Session laws. To prepare and index for printing as promptly as possible, after the adjournment of each session, the session laws, which compilation shall include all Acts and resolves which the Legislature has adopted during the session and which have received the approval of the Governor, when such approval is necessary, and any other material of a general nature that the Executive Director may determine;

[1985, c. 501, Pt. B, §5 (NEW) .]

4. Copy of public laws. After each session of the Legislature, to cause the public laws enacted at that session to be printed on good paper and in suitable type and to distribute the same within the State to all citizens making a request for those laws;

[1985, c. 501, Pt. B, §5 (NEW) .]

5. Pocket supplements. After each session of the Legislature, to cause to be published cumulative pocket supplements of the volumes of the Revised Statutes, and any replacement or recompiled volumes, which shall contain an accurate transcription of all public laws, the material contained in the next preceding

pocket supplement, complete and accurate annotations to the statutes, appendix and other material accumulated since the publication of the next preceding pocket supplement and a cumulative index of that material;

[1985, c. 501, Pt. B, §5 (NEW) .]

6. Continuing revision. After each session of the Legislature, to prepare a report inserting in their proper places in the Revised Statutes public laws enacted since the last revision of the statutes and, after each subsequent session of the Legislature, to prepare a report supplementing the report so that those reports and supplements shall form the basis of the next revision of the statutes;

[1985, c. 501, Pt. B, §5 (NEW) .]

7. Committee assistance. To provide research, analysis and bill drafting assistance for joint standing or select committees, including, but not limited to, the Joint Standing Committee on Appropriations and Financial Affairs, the Joint Standing Committee on Audit and Program Review and other legislative agencies;

[1985, c. 501, Pt. B, §5 (NEW) .]

8. Reports and legislation. To prepare narrative reports on matters referred to joint standing committees for review or study and prepare legislation to be introduced pursuant to those reports;

[1985, c. 501, Pt. B, §5 (NEW) .]

9. Research services. To provide a comprehensive research service for Legislators, legislative joint standing or select committees and commissions and the Legislative Council;

[1985, c. 501, Pt. B, §5 (NEW) .]

10. Collection of fiscal information. To collect and assemble factual information concerning the fiscal affairs of the State for the use of the Joint Standing Committee on Appropriations and Financial Affairs of the Legislature in formulating its proposals for appropriations and to collect and assemble fiscal information concerning other revenue funds for the use of any joint standing committee in formulating proposals for allocation acts;

[1985, c. 501, Pt. B, §5 (NEW) .]

11. Appropriation requests. To examine all requests for appropriations made by the various agencies of State Government and attend any hearings necessary to obtain complete information;

[1985, c. 501, Pt. B, §5 (NEW) .]

12. Statement of costs. To prepare statements pertaining to the existence of cost or the amount of cost to municipalities or counties for implementing or complying with a proposed law. The statement of cost shall be made within the limits of information provided to the office designated by the Legislative Council as having responsibility for financial analysis. The statements shall be furnished to the appropriate committee for the information of its members and for inclusion in bills which receive an ought to pass report when reported by the committee. A statement shall not be necessary for any bill which has no cost to municipalities or counties; and

[1985, c. 501, Pt. B, §5 (NEW) .]

13. Other duties. To undertake such other duties as are assigned by the Executive Director.

[1985, c. 501, Pt. B, §5 (NEW) .]

SECTION HISTORY

1985, c. 501, §B5 (NEW). 1987, c. 816, §KK2 (AMD).

**3 §164. DIRECTOR OF LEGISLATIVE RESEARCH; FUNCTIONS AND DUTIES
(REPEALED)**

SECTION HISTORY

1969, c. 8, §1 (AMD). 1971, c. 480, §4 (AMD). 1973, c. 46, (AMD).
P&SL 1973, c. 220, §4 (AMD). 1973, c. 590, §§6,7 (AMD). 1973, c. 788,
§4 (AMD). 1979, c. 396, §7 (AMD). 1983, c. 2, §4 (AMD). 1985, c. 501,
§B6 (RP).

3 §165. JOINT COMMITTEES, AUTHORITY

The Legislature may by rule establish such joint standing committees and joint select committees as it deems necessary. Such committees shall have the authority, both when the Legislature is in session and when it is not in session: [1973, c. 590, §8 (NEW) .]

1. Collect information. To collect information concerning the government and general welfare of the State as related to assignments received from the council;

[1973, c. 590, §8 (NEW) .]

2. Information and reports provided. To assist the Legislature in the proper performance of its constitutional functions by providing its members with impartial and accurate information and reports concerning the legislative problems which are assigned by the Legislative Council which information may be obtained by independent studies or by cooperation with and information from similar agencies in other states as to the practice of other states in dealing with similar problems;

[1973, c. 590, §8 (NEW) .]

3. Quorum. A majority of the members of a committee shall constitute a quorum, and a majority thereof shall have the authority to act in any matter falling within the jurisdiction of the committee. A committee may hold either public or private hearings and may hold executive sessions, excluding all except members of the committee;

[1973, c. 590, §8 (NEW) .]

4. State department to furnish information. Each state department shall furnish to a committee such documents, material or information as may be requested by a committee;

[1973, c. 590, §8 (NEW) .]

5. Minutes. A committee shall keep minutes of matters considered and votes taken at its meetings and shall make reports to the Legislature on all matters which come before the committee, the actions taken thereon and the progress made in relation thereto;

[1973, c. 590, §8 (NEW) .]

6. Reports to Legislature and public. Reports of a committee may be made from time to time to members of the Legislature and to the public;

[1973, c. 590, §8 (NEW) .]

7. Other subpoenas, etc. When the duties assigned to a committee so require, the Legislature may grant to it the power to administer oaths, issue subpoenas, compel the attendance of witnesses and the production of any papers, books, accounts, documents and testimony, and to cause the deposition of witnesses, whether residing within or without the State to be taken in the manner prescribed by law for taking depositions in civil actions in the Superior Court. When the Legislature grants this power to a joint standing committee or joint select committee, such committee shall function as an investigating committee and shall be subject to the provisions of chapter 21. No appropriation or allocation may be made for a specific study unless the Legislative Council has first approved a budget adopted by the joint standing committee which is to conduct the study. No appropriation or allocation may be made for the operation of any joint select committee unless the Legislative Council has first approved a budget adopted by the joint select committee. In case of disobedience on the part of any person to comply with any subpoena issued in behalf of a committee, or on the refusal of any witness to testify to any matters regarding which he may be lawfully interrogated, it shall be the duty of the Superior Court of any county, on application of a member of a committee, to compel obedience by proceedings for contempt, as in the case of disobedience of the requirements of a subpoena issued from such court or a refusal to testify therein. Each witness, other than a state officer or employee, who appears before a committee by its order or subpoena shall receive for his attendance the fees and mileage provided for witnesses in civil cases in courts of record, which shall be audited and paid upon the presentation of proper vouchers sworn to by such witness and approved by the chairman of the committee;

[1985, c. 377, §1 (AMD) .]

8.

[1975, c. 750, §2 (RP) .]

SECTION HISTORY

1973, c. 590, §8 (NEW). 1975, c. 593, §§1,2 (AMD). 1975, c. 623, §3 (AMD). 1975, c. 750, §2 (AMD). 1975, c. 770, §6 (AMD). 1985, c. 377, §1 (AMD).

3 §166. DIRECTOR OF LEGISLATIVE ASSISTANTS

(REPEALED)

SECTION HISTORY

1973, c. 590, §9 (NEW). 1975, c. 770, §7 (AMD). 1983, c. 2, §5 (RPR). 1985, c. 501, §B7 (RP).

3 §167. LEGISLATIVE FINANCE OFFICER; DUTIES

(REPEALED)

SECTION HISTORY

P&SL 1973, c. 220, §5 (AMD). 1973, c. 590, §10 (NEW). 1979, c. 406, (AMD). 1979, c. 541, §A9 (AMD). 1983, c. 2, §6 (AMD). 1985, c. 501, §B8 (RP).

3 §168. STAFF ASSISTANTS TO LEGISLATIVE LEADERSHIP

The President of the Senate, the Majority and Minority Floor Leaders of the Senate, the Speaker of the House of Representatives, and the Majority and Minority Floor Leaders of the House of Representatives shall each have the authority to appoint, at his discretion, a personal staff assistant, or more than one assistant if their aggregate salary does not exceed that of the single personal staff assistant, when the Legislature is in session and at such other times as might be necessary, with the approval of the Legislative Council. [1983, c. 2, Pt. H, (AMD).]

SECTION HISTORY

1973, c. 590, §11 (NEW). 1975, c. 623, §§3-A (AMD). 1975, c. 770, §8 (AMD). 1977, c. 564, §§11-A (AMD). 1983, c. 32, §H (AMD).

3 §168-A. LEGISLATIVE YOUTH ADVISORY COUNCIL (REPEALED)

SECTION HISTORY

2001, c. 439, §PPPP1 (NEW). 2001, c. 439, §PPPP4 (AFF). 2003, c. 20, §§F2,3 (AMD). 2003, c. 481, §§1,2 (AMD). 2003, c. 689, §B6 (REV). 2005, c. 414, §§1,2 (AMD). 2005, c. 616, §§A1,B1-4 (AMD). 2007, c. 679, §§1, 2 (AMD). 2009, c. 623, §1 (RP).

3 §168-B. LEGISLATIVE YOUTH ADVISORY COUNCIL

The Legislative Youth Advisory Council, referred to in this section as "the council," is created to advise the Legislature on policy matters related to youth. [2009, c. 623, §2 (NEW).]

1. Membership. The council consists of 20 members appointed in accordance with this subsection. In appointing members, the appointing authorities shall strive to ensure a balance among members in terms of statewide geographic distribution and gender. All appointments are for the duration of the legislative term for which the members are appointed and expire upon the convening of the next Legislature. Members may be reappointed to subsequent terms on the council as long as they are eligible at the time of their reappointment.

A. The President of the Senate shall appoint the following 10 members:

- (1) Two members of the Senate representing the 2 largest political parties in the Senate; and
- (2) Eight youths who have attained 15 years of age and who are enrolled in programs that lead to a secondary school diploma or certificate of attendance or a general equivalency diploma or are enrolled in equivalent instruction programs under Title 20#A, chapter 211, subchapter 1#A. The youth members must be appointed from names recommended for appointment by the 2 appointed members of the Senate. [2009, c. 623, §2 (NEW).]

B. The Speaker of the House shall appoint the following 10 members:

- (1) Two members of the House of Representatives representing the 2 largest political parties in the House; and
- (2) Eight youths who have attained 15 years of age and who are enrolled in programs that lead to a secondary school diploma or certificate of attendance or a general equivalency diploma or are enrolled in equivalent instruction programs under Title 20#A, chapter 211, subchapter 1#A. The youth members must be appointed from names recommended for appointment by the 2 appointed members of the House of Representatives. [2009, c. 623, §2 (NEW).]

[2009, c. 623, §2 (NEW) .]

2. Chairs. The first appointed Senate member is the Senate chair of the council and the first appointed House member is the House chair of the council.

[2009, c. 623, §2 (NEW) .]

3. Compensation. Members of the council who are Legislators are entitled to the legislative per diem and to reimbursement of reasonable expenses incurred in attending meetings of the council. Youth members of the council are entitled to reimbursement of reasonable expenses incurred in attending meetings of the council only upon a demonstration of financial hardship.

[2009, c. 623, §2 (NEW) .]

4. Meetings. The council may hold 2 meetings in each calendar year in a location in the State chosen by the chairs. There is no quorum requirement for the meetings. Legislative members shall encourage the use of social networking media during and between meetings to facilitate communication and participation of council members and others interested in the council's work. The legislative members shall encourage the participation of youth members in the legislative process by providing opportunities during the legislative session for youth members to shadow legislative members, attend hearings and work sessions of legislative committees and testify before the committees on legislation of interest to youth. Shadowing and participatory activities are not considered meetings of the council.

[2009, c. 623, §2 (NEW) .]

5. Report. The council shall submit a biennial report to the Legislative Council no later than the 2nd Friday in February of even-numbered years, beginning in 2012. The report may include recommendations on policy issues before the Legislature pertaining to youth and may include recommended legislation.

[2009, c. 623, §2 (NEW) .]

6. Staff. The Legislative Council may authorize staff support for the council for meetings held during the legislative interim.

[2009, c. 623, §2 (NEW) .]

SECTION HISTORY

2009, c. 623, §2 (NEW) .

3 §169. CONSTITUENT SERVICE OFFICER; FUNCTIONS AND DUTIES **(REPEALED)**

SECTION HISTORY

1973, c. 590, §12 (NEW). 1985, c. 501, §B9 (RP) .

3 §170. PARTISAN EMPLOYEES; RESTRICTED ACTIVITIES

Partisan legislative employees who assume active roles in campaigns shall either limit their activities to evenings and weekends or take leave to pursue these activities if they occur during the Legislature's regular business day, which is 8 a.m. to 5 p.m. This includes fund raising for campaign efforts as well as other activities that are directly related to election or reelection efforts. [1995, c. 100, §1 (NEW) .]

SECTION HISTORY

1995, c. 100, §1 (NEW) .

3 §170-A. USE OF LEGISLATIVE EQUIPMENT AND RESOURCES

Legislative employees are prohibited from at any time using the computer system, telephones, copying machines and other legislative equipment for work related to campaigns. [1995, c. 100, §1 (NEW) .]

SECTION HISTORY

1995, c. 100, §1 (NEW) .

Subchapter 2: LAW AND LEGISLATIVE REFERENCE LIBRARY

3 §171. DECLARATION OF POLICY

The Legislature declares that it is the policy of the State to provide a law and legislative reference library adequate to the informational needs of the Legislature, other branches of State Government and the citizens of Maine. [1971, c. 480, §1 (NEW) .]

SECTION HISTORY

1971, c. 480, §1 (NEW) .

3 §172. STATE LAW LIBRARIAN

(REPEALED)

SECTION HISTORY

1971, c. 480, §1 (NEW) . P&SL 1973, c. 220, §6 (AMD) . 1973, c. 590, §13 (AMD) . 1975, c. 770, §9 (RP) .

3 §172-A. STATE LAW LIBRARY; ADMINISTRATION

The Executive Director of the Legislative Council shall assign, direct and supervise, subject to the control of the council, the activities of the State law and legislative reference library. [1985, c. 501, Pt. B, §10 (NEW) .]

SECTION HISTORY

1985, c. 501, §B10 (NEW) .

3 §173. STATE LAW LIBRARY; SERVICES

The State Law Library shall provide the following services: [1985, c. 501, Pt. B, §11 (AMD) .]

1. Legislative reference service. Provide a comprehensive reference service on legislative problems for all members of the Legislature and its committees, equally and impartially, and to the limits of its staff and facilities. Such reference services shall be available also to public officials and to citizens generally.

Collect, index and make available in the most suitable form information relative to governmental subjects which will aid the Legislature, other public officials and citizens to perform their duties in an enlightened manner.

[1971, c. 480, §1 (NEW) .]

2. Law library. Provide a law library for the use of all agencies of State Government, the judiciary, attorneys and citizens of Maine.

[1985, c. 501, Pt. B, §11 (AMD) .]

3. Distribution, sale and exchange of law books. Copies of the Revised Statutes, supplements thereto and session laws shall be delivered by the printer to the State Law Librarian for distribution and sale in accordance with prices, policies and procedures established by the Legislative Council. All proceeds from such sales shall be deposited to the credit of the General Fund.

A.

Copies shall be sent, on an exchange basis, to the Library of Congress, secretary of the Maine State Bar Association, the Supreme Court Library of Canada and to each state or territorial library in the United States.

One copy of the laws passed by each session of the Legislature shall be given to each Member thereof, the Secretary of the Senate, the Assistant Secretary of the Senate, the Clerk of the House and the Assistant Clerk of the House. [1985, c. 501, Pt. B, §11 (RP).]

Revision note: Paragraph A repealed, but these 2 paragraphs are blocked paragraphs of A. (see PL1985, c. 501, Pt. B, § 11).

B. [1985, c. 501, Pt. B, §11 (RP).]

C. [1985, c. 501, Pt. B, §11 (RP).]

The State Law Librarian may, in his discretion, sell surplus copies of volumes entrusted to him or use them for exchange purposes to increase the usefulness of the library. Proceeds from all sales shall be deposited to the credit of the General Fund.

[1985, c. 501, Pt. B, §11 (AMD) .]

SECTION HISTORY

1971, c. 480, §1 (NEW). P&SL 1975, c. 147, §H1 (AMD). 1975, c. 771, §§12-14 (AMD). 1977, c. 506, §§1-3 (AMD). 1981, c. 48, §2 (AMD). 1985, c. 501, §B11 (AMD).

3 §174. ADMINISTRATIVE PROVISIONS

(REPEALED)

SECTION HISTORY

1971, c. 480, §1 (NEW). 1975, c. 770, §10 (RPR). 1979, c. 396, §8 (AMD). 1983, c. 2, §7 (AMD). 1985, c. 501, §B12 (RP).

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DAVID E. BOULTER
EXECUTIVE DIRECTOR
OF THE LEGISLATIVE COUNCIL



MAINE STATE LEGISLATURE

OFFICE OF THE EXECUTIVE DIRECTOR
LEGISLATIVE COUNCIL

Memo

To: Members of the Legislative Council
125th Maine Legislature

From: ^{D.B.} David E. Boulter, Executive Director
Legislative Council

Date: December 2, 2010

Re: Assignment of initial salaries for Constitutional Officers

One of the initial decisions required of the Legislative Council once a new Legislature is convened is the assignment of the initial salary for newly elected Constitutional Officers. The State Auditor was not subject to election this year. State law prescribes the salary grade and the initial salary step for each official. Following the initial appointment of the Constitutional Officers and the State Auditor, the Legislative Council is authorized to adjust the salary of each official by one step for each year of continuous service.

"Notwithstanding any other provisions of law, the salaries of the following state officials shall be at the salary ranges indicated in this section. At the time of initial appointment, the salary of the Secretary of State and the Treasurer of State shall be set at the Step C of the official's respective range. At the time of initial appointment, the salaries of the Attorney General and the State Auditor shall be set at Step E of their salary ranges. The Legislative Council may adjust the salary of each official by one step for each year of continuous service after the initial appointment to office.

The salary ranges shall be as provided by law for confidential employees who take the salary increase option instead of state payment of retirement contribution. No other state salary may be paid. These officials are not eligible for state payment of employee retirement contributions." 3 MRSA §162-B.

The Secretary of State was newly elected at the convening of the 125th Legislature, and as such, the Legislative Council must establish the initial salary for the Secretary of State upon him taking office.

Memo to Legislative Council
Re: Assignment of Initial Salaries for Constitutional Officers
December 2, 2010
Page 2

Pursuant to law, at the time of initial appointment, the salary of the Secretary of State must be set at Step C (Step 3) within Salary Grade 88. Effective January 1, 2011, the salary for Grade 88 Step 3 is \$69,264.00.

The State Treasurer was newly elected at the convening of the 125th Legislature, and as such, the Legislative Council must establish the initial salary for the State Treasurer upon him taking office.

Pursuant to law, at the time of initial appointment, the salary of the State Treasurer must also be set at Step C (Step 3) within Salary Grade 88. Effective January 1, 2011, the salary for Grade 88 Step 3 is \$69,264.00.

The Attorney General was newly elected at the convening of the 125th Legislature, and as such, the Legislative Council must establish the initial salary for the Attorney General upon him taking office.

Pursuant to law, at the time of initial appointment, the salary of the Attorney General must be set at Step E (Step 5) within Salary Grade 91. Effective January 1, 2011, the salary for Grade 91, Step 5 is \$92,248.00.

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DAVID E. BOULTER
EXECUTIVE DIRECTOR
OF THE LEGISLATIVE COUNCIL



MAINE STATE LEGISLATURE
OFFICE OF THE EXECUTIVE DIRECTOR
LEGISLATIVE COUNCIL

Memo

To: Members of the Legislative Council
125th Maine Legislature
D.B.
From: David E. Boulter, Executive Director
Legislative Council
Date: December 2, 2010
Re: Assignment of initial salaries for Secretary of the Senate and the Clerk of the House of Representatives

One initial decision required of the Legislative Council once a new Legislature is convened is establishing of the initial salary for a newly elected Secretary of the Senate and a Clerk of the House. State law prescribes the salary grade and the initial salary options for each of the Legislative officials. Following the initial appointment of the legislative officials, the Legislative Council is authorized to adjust the salary of each official by one step for each year of continuous service. 3 MRSA §162-A:

"Notwithstanding any other provisions of law, the salaries of the following legislative officials are at the salary ranges indicated in this section. Except as provided below, at the time of initial appointment the salary of each of these officials may be set at Step A or Step B, but no higher than Step B, of their respective ranges, except that any employees of the office of the Secretary of the Senate or the office of the Clerk of the House of Representatives at the time of initial appointment must have their salary set at a step within their respective salary range so that no loss of gross pay is experienced by those employees. The Legislative Council may adjust the salary of each official by one step for each year of continuous service after the initial appointment to office.

The salary ranges shall be those established by the Legislative Council for Legislative staff. No other state salary may be paid to these officials.

1. Range 14. *The salaries of the following state officials and employees shall be within salary range 14:*

*Secretary of the Senate; and
Clerk of the House of Representatives.*

Memo to Legislative Council
Re: Assignment of Initial Salaries
December 2, 2010
Page 2

Both the Secretary of the Senate and the Clerk of the House were newly elected at the convening of the 125th Legislature, and as such, the Legislative Council must establish the initial salaries.

Pursuant to law, the initial salary for both the Secretary of the Senate and the Clerk of the House must be either of the following within salary grade 14:

Step 1: \$76,627.20 (annual); or
Step 2: \$83,532.80 (annual).

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SUZANNE M. GRESSER
REVISOR

MAINE STATE LEGISLATURE
OFFICE OF THE REVISOR OF STATUTES
STATE HOUSE STATION 7
AUGUSTA, MAINE 04333-0007
(207) 287-1650
FAX: (207) 287-6468

Date: December 2, 2010

To: Members of the Legislative Council of the 125th Legislature

From: Suzanne M. Gresser, Revisor *smg*

RE: Proposed policy on processing duplicate bill request filings

In past sessions, the Legislative Council has established a policy whereby the Office of the Revisor of Statutes is directed to combine similar bill requests pursuant to Joint Rule 206, section 2, which provides that:

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.

Before the above language was adopted by the 118th and subsequent legislatures, every bill was simply processed and printed without regard to whether it was closely related to another. Since the advent of the rule, however, each Legislative Council has used its authority to direct that the Revisor's Office in some manner combine closely related bills in order to facilitate the efficient processing of bills.

In past sessions when cloture was set in mid-December, the process was as follows:

- The bill titles were reviewed after cloture in an attempt to identify bills that were closely related. If the proposed solutions to the same issue were sufficiently similar, the requests were combined into one measure. In making assessments to identify duplicates, the process normally took a couple of weeks to review and assess all the requests and most duplicates were identified prior to the Legislature's return in January.

- The sponsor who filed the first complete request was the primary sponsor of the measure.
- The identified later filers were given the opportunity to sign onto the measure as mandatory cosponsors; the primary sponsor was also allowed to collect the full complement of cosponsors authorized by Joint Rule 206.
- If a later filer demonstrated that the bill request he or she filed was not closely related, then his or her request was fully drafted according to the sponsor's direction.

When the 124th Legislature adopted a cloture deadline of mid-January, the process was modified slightly in order to allow the printing of some bills in advance of the later cloture deadline. The Legislative Council of the 124th Legislature directed the Revisor's Office to make reasonable efforts to identify duplicate bills as the office processed them before cloture and to notify sponsors as in the past, setting up primary and mandatory cosponsors. The Council recognized that by printing bills prior to cloture, a number of potential duplicates would not be identified and combined; however, the Council did not want to suspend the printing of bills until after the cloture date because it would not further the Legislature's goal of expeditious processing and printing of bills.

Because the cloture deadline of the 125th Legislature is January 7, 2010, in order to facilitate the expeditious processing of bills in the same manner as was done in the First Regular Session of the 124th Legislature, I recommend that the Legislative Council adopt the process that was established by the 124th Legislature.

I would be happy to answer any questions or provide any additional information.

Thank you for your attention.

**WASHINGTON COUNTY
DEVELOPMENT AUTHORITY**

PO Box 551

East Machias, ME 04630 2010 NOV 31 A 11 015

EXECUTIVE DIRECTOR
OFFICE



November 30, 2010

The Honorable John E. Baldacci
Office of the Governor
#1 State House Station
Augusta, ME 04333-0001

Dear Governor Baldacci:

Enclosed please find the Washington County Development Authority's 2009-2010 annual report. I apologize for the lateness of this submission. As the report indicates, the Authority is in the process of redefining its role in promoting economic development for Washington County. To this end, the Authority seeks to amend the statutes governing its powers and relevancy, as well as establishing a more prominent public presence. The last two months have been pivotal in determining these endeavors since my hire on October 1, 2010 as the Board of Trustee's first Executive Director, which accounts for the late submission date of this report.

Respectfully,

Christine Laurel
Executive Director

cc: David E. Boulter, Executive Director
Maine Legislative Council
210 State Street
115 State House Station
Augusta, Maine 04333-0115

Elizabeth M. Schneider, Chair
Joint Standing Committee on Business, Research
and Economic Development
55 Bennoch Road
Orono, ME 04473





WASHINGTON COUNTY

ANNUAL REPORT

July 1, 2009 – June 30, 2010

Introduction

Pursuant to the provisions of Title 5 of Maine Revised Statutes Annotated, Chapter 383, Subchapter 3, Article 2-A, the Washington County Development Authority is required to submit an annual report to the Governor, the Executive Director of the Legislative Council and the joint standing committee of the Legislature having jurisdiction over business and economic development matters. The report must be submitted no later than 120 days after the close of the authority's fiscal year. The Authority's fifth fiscal year ended on June 30, 2010. This annual report must be submitted on or before the statutory deadline of October 30, 2010. The report that follows fulfills that requirement.

Section 13083-F of 5 MRSA requires that the annual report of the Authority include:

- A. A description of the authority's operations and activities;
- B. An accounting of the authority's receipts and expenditures and assets and liabilities at the end of its fiscal year;
- C. A listing of all property transactions pursuant to section 13083-D;
- D. A statement of the authority's proposed and projected activities for the ensuing year; and
- E. Recommendations regarding further actions that may be suitable for achieving the purposes of this article.

History of the Authority

The Washington County Development Authority was established by the Second Regular Session of the 120th Maine Legislature as Chapter 568 of the Laws of Maine 2001. The Authority was established in response to the need to create a state entity that could take title to the former Naval Computer and Telecommunications Station in Cutler, Maine from the United States Navy. Since that time, the legislation was amended to

broaden the scope of the authority's mission to allow the authority to provide financial and technical assistance to any governmental entity and nonprofit located within Washington County in support of community and economic development projects. Representation was expanded to include all municipalities in Washington County, including the unorganized territories.

For the reporting period, the Authority was comprised of the following members: James Parker (Veazie), Shirley Erickson (Machiasport), Eric Robinson (Alexander), Robert Tyler (St. Stephen, NB), Edward Pellon (Machias), Normand Laberge (Trescott), Barbara Drisko (Columbia Falls), Brent Hartford (Milbridge), and Harold Prescott, Sr. (Whiting). During May (2009) the following officers were elected: James Parker / Chairperson, Harold Prescott / Vice-Chairperson, Barbara Drisko / Secretary, and Normand Laberge / Treasurer. The WCDA meets on the third Tuesday of each month at 3:00 PM at the Machias CareerCenter.

The Authority can have from 9 to 13 voting members. Trustees have been appointed to staggered terms of one, two, three and four years. At this point, there are only nine Trustees. Janet Toth had served as ex-officio, as the designee for the Commissioner of Economic and Community Development, and has still not been replaced. David Burns resigned upon being elected as a Washington County legislative representative and he has not yet been replaced, either. The Authority is working with the Governor's Office to fill available seats.

Operations and Activities

The WCDA Trustees scheduled at least twelve (12) regular meetings from 01.July.2009 to 30.June.2010, though there was not always a quorum present for official business to take place. Major items of discussion during the course of the report period included the following subjects:

The Authority continues to contract with Sunrise County Economic Council to provide administrative services.

The Authority stays current on activities related to the Governor's appointed Task Force and the Department of Corrections in regard to the redevelopment and/or expansion of the State prison in Washington County. This is looked on by the Authority as having strong potential for economic growth for the area.

They have worked toward assisting Washington Academy with lower interest loan funds for capital improvements.

The Authority hired a part-time executive director, Christine Laurel, at the end of the reporting period to help with administrative tasks, promote WCDA within the community, and to aid its economic development efforts through researching and pursuing income streams.

WCDA has heard presentations on an assortment of projects in Washington County – including Unorganized Territories gardens, Brownfield site assessment, Rotary recreation planning, and the Recovery Support Network.

The Authority assisted the Washington County Food & Fuel Alliance with printing a resource guide which will be made available to anyone who needs assistance.

WCDA provided monetary support for “Destination: Washington County 2009 & Beyond” alternative energy and telecommunications expo.

The Authority signed letters in support of Port of Eastport infrastructure projects.

Receipts and Expenditures

See attached Financial Statement

Property Transactions:

The WCDA owns no property.

Proposed and Projected Activities

The Authority is increasing its public presence by creating a website in order to better facilitate economic development in Washington County. The website will not only provide businesses, government agencies and nonprofits contact information, but will also link the viewer to information and services Washington County has to offer to businesses contemplating a relocation to downeast Maine. The idea is also to encourage a dialogue with other organizations seeking the welfare of the county and to solicit proposals from businesses requiring assistance to expand or maintain their current level of prosperity.

The website will be promoted by press releases, a newsletter and perhaps a newspaper advice column in which WCDA trustees will share their industry knowledge and business acumen.

The WCDA Board of trustees will also function as a “think tank” to problem solve economic issues unique to downeast Maine.

The new part-time executive director will meet with chambers and representatives of local organizations and private companies to further discuss how WCDA can be of service to them in their mission to develop the local economy.

The change in statute sought by the WCDA (set forth under “Recommendations” below) will make the above possible by providing substantive assistance to these organizations and spur more concrete projects for the WCDA to assist the downeast economy, including the proposal from Washington Academy, noted in the 2008-2009 Annual Report, for WCDA to “help the Academy to reduce its interest rates and enable them to access more funds for expansion and economic development.”

Recommendations

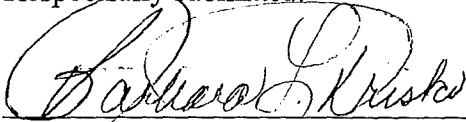
The Authority seeks to expand its powers in order to become more effective at economic development by petitioning the legislature to include the following:

1. Acquire additional State of Maine surplus property located within Washington County;
2. Expand its jurisdiction to include supporting private entities within Washington County; and
3. Expand its abilities to offer financial assistance by entering into loan or security agreements with one or more lending institutions, including, but not limited to, banks, insurance companies and institutions that administer pension funds, or trustees for those institutions for the issuance of bonds and exercise with respect to those loan or security agreements all of the powers delineated in this article for the issuance of bonds

Attachments:

- ❖ Financial reports: WCDA Annual Income Statement

Respectfully submitted:



Barbara Drisko, Secretary



WASHINGTON COUNTY DEVELOPMENT AUTHORITY

Financial Report

01.July.2009 - 30.June.2010

Normand Laberge - Treasurer

Account No.	Description	Balance on 01.July.20 09	Balance on 30.June.2 010	Interest Earned / Difference	Interest Rate [%]	Maturation Rate
80115759 30	Non-Profit Organization Checking Account	\$4,999.16	\$2,021.93	-\$2,977.23	n/a	n/a
12001268	91-Day Certificate Passbook Account	\$10,682.93	10727.18	\$44.25	0.35	14.oct.2010
80124129 20	Money Fund Business Account	\$8,169.45	\$8,193.99	\$24.54	0.3	n/a
	Total	\$23,851.54	\$20,943.10	-\$2,908.44		

Mo / Yr	Checks Issued	Amount	Balance	Deposit
July / 2009	Mark Altvater	\$50.00	\$4,949.16	
July / 2009	SCEC	\$463.91	\$4,485.25	
Aug / 2009	SCEC	\$164.90	\$4,370.35	\$50.00
Aug / 2009	MBACC	\$1,000.00	\$3,370.35	
Sept / 2009	n/a	\$0.00	\$3,370.35	
Oct / 2009	n/a	\$0.00	\$3,370.35	
Nov / 2009	n/a	\$0.00	\$3,370.35	
Dec / 2009	n/a	\$0.00	\$3,370.35	
Jan / 2010	n/a	\$0.00	\$3,370.35	
Feb / 2010	n/a	\$0.00	\$3,370.35	
Mar / 2010	SCEC	\$35.00	\$3,335.35	
Mar / 2010	SCEC	\$71.60	\$3,263.75	
Mar / 2010	SCEC	\$162.20	\$3,101.55	
Mar / 2010	SCEC	\$166.92	\$2,934.63	
Mar / 2010	SCEC	\$192.50	\$2,742.13	
Mar / 2010	SCEC	\$230.90	\$2,511.23	
Apr / 2010	SCEC	\$89.30	\$2,421.93	
May / 2010	SCEC	\$400.00	\$2,021.93	
June / 2010	SCEC	\$0.00	\$2,021.93	

LC agenda
12/2



MAINE STATE MUSEUM
83 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0083
EXECUTIVE DIRECTOR'S
OFFICE



JOSEPH R. PHILLIPS
MUSEUM DIRECTOR

2010 NOV 15 A 10:06 JOHN ELIAS BALDACCI
GOVERNOR

November 8, 2010

The Honorable Hannah Pingree
Chairman, Legislative Council
124th Maine Legislature
2 State House Station
Augusta, Maine 04333

Subject: Addition of Governor John E. Baldacci painting to State House Portrait
Collection

Dear Chairman Pingree:

This letter is for your information only. I do not believe any action is required of the Legislative Council. The process for acquiring portraits of governors is in place and has worked well in the past.

For many years the State of Maine has commissioned an oil portrait of each Maine governor at the end of his term. The Maine Arts Commission assists the Governor's Office and family with the process of choosing an appropriate artist, and with contracting for a painting and frame.

The Maine State Museum, on behalf of the people of Maine, holds title to busts and paintings of Maine political leaders which constitute the State House Portrait Collection. This ensures ongoing professional preservation and care of the originals, as well as a public source for photographic reproductions.

Transfer of title for each new gubernatorial portrait takes place after Arts Commission officials view and approve the completed painting. Each then automatically enters the museum's State House Portrait Collection.

Portraits of former governors are displayed in keeping with a plan previously approved by the Legislative Council. The plan was developed by the Executive Director of the Legislative Council, Chairman of the State House and Capitol Park Commission, and the Maine State Museum's Curator of Photography, Art and Archives. The portrait of Governor Baldacci is scheduled to be unveiled in a low profile event on Saturday, December 18, 2010.

I shall be pleased to answer any questions that you or your members may have.

Sincerely,



Joseph R. Phillips
Museum Director

cc: David Boulter, Executive Director of the Legislative Council
Donna McNeil, Director, Maine Arts Commission
Earle G. Shettleworth Jr, Chairman, State House and Capitol Park Commission
Deanna Bonner-Ganter, Curator of Photography, Art and Archives, Maine
State Museum