



128TH MAINE STATE LEGISLATURE
LEGISLATIVE COUNCIL

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RULES OF PROCEDURE

1. **Organizational Meeting:** The President 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 128th Legislature, the chair must be a Representative.
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/Action:** 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 128th Legislature or by a majority vote of the council. The council shall meet on a regular 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. 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 or designee 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 the committees of Personnel, State House Facilities and the Legislative Budget Subcommittee.
10. **Approval of Step Increases:** All step increases that require a vote of the Legislative Council during the 128th 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. Reports from the Executive Director and Staff Office Directors
 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 ballot to be circulated 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. Voting may also

take place electronically via email through the Executive Director or designee. Upon certification of the votes on a ballot, the executive director will report the results of the voting to the members 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 128th 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 128th Maine Legislature on December 8, 2016 at Augusta, Maine.

By:



Grant T. Pennoyer, Executive Director of the Legislative Council