

## §162. Authority

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

**1. Legislative budgets.** To prepare and approve all legislative budgets; [PL 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; [PL 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. [PL 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; [PL 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; [PL 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 the witness may be lawfully interrogated, it is 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 that court or a refusal to testify in that court. Each witness, other than a state officer or employee, is entitled to receive for that witness's attendance the fees and mileage provided for witnesses in civil cases in courts of record, which must be audited and paid upon the presentation of proper vouchers sworn to by such witness and approved by the chair of the council; [PL 2019, c. 475, §18 (AMD).]

**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;  
[PL 1985, c. 501, Pt. B, §1 (AMD).]

**6. Appointment of directors and office directors.** By a vote of no fewer than 8 members present at a public meeting of the Legislative Council, to appoint an Executive Director of the Legislative Council, a State Law Librarian and such other office directors as the council considers necessary. Each director must be chosen without reference to party affiliations and solely on the grounds of fitness to perform the duties of the office. The Executive Director, the State Law Librarian and the office directors appointed pursuant to this subsection serve at the pleasure of the Legislative Council and may be removed from office only by a vote of no fewer than 8 members present at a public meeting of the Legislative Council;  
[PL 2015, c. 102, §2 (AMD).]

**6-A. Transition.**  
[PL 2015, c. 102, §3 (RP).]

**7. Legislative agency operating policy.** To establish operating policies for each legislative agency and office;  
[PL 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;  
[PL 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;  
[PL 1991, c. 1 (NEW).]

**9.**  
[PL 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;  
[PL 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;  
[PL 1973, c. 590, §4 (RPR).]

**12. Physical facilities for Legislature.** To ensure that adequate physical facilities are provided for the efficient operation of the Legislature and to provide for and determine the utilization of

legislatively controlled facilities both within and without the State House and, notwithstanding Title 5, section 1742, subsection 18, to control and assign the use of all rooms in the State House, except the immediate offices occupied by the Governor and the Governor's staff in the west wing of the State House. The Legislative Council shall ensure that the Governor and the Governor's staff occupy sufficient and appropriate office space within the State House.

The Legislative Council has the authority to authorize the Executive Director to enter into contracts for the purpose of maintaining or improving the physical facilities assigned to the Legislature, as long as the work to be performed is consistent with the official plan for the preservation and development of the aesthetic and historical integrity of the State House as described in section 902, subsection 1; [PL 1997, c. 671, §1 (AMD).]

**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; [PL 2001, c. 358, Pt. E, §1 (AMD).]

**13. Transfers within the legislative appropriation.** To approve any transfers within the legislative appropriation; [PL 1975, c. 770, §5 (RPR).]

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

[PL 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

[PL 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.

[PL 1997, c. 43, §3 (NEW).]

#### SECTION HISTORY

P&SL 1973, c. 220, §3 (AMD). PL 1973, c. 590, §4 (RPR). PL 1975, c. 657 (AMD). PL 1975, c. 770, §§3-5 (AMD). PL 1979, c. 541, §§A7,A8 (AMD). PL 1981, c. 702, §R (AMD). PL 1983, c. 2, §1 (AMD). PL 1983, c. 584 (AMD). PL 1983, c. 824, §V (AMD). PL 1985, c. 501, §§B1-3 (AMD). PL 1989, c. 410, §§1-4 (AMD). PL 1991, c. 1 (AMD). PL 1991, c. 622, §§L1-3 (AMD). PL 1993, c. 415, §J1 (AMD). PL 1995, c. 37, §1 (AMD). RR 1997, c. 2, §4 (COR). PL 1997, c. 24, §§FF1,2 (AMD). PL 1997, c. 43, §§1-3 (AMD). PL 1997, c. 671, §1 (AMD). PL 1999, c. 1, §2 (AMD). PL 2001, c. 358, §E1 (AMD). PL 2001, c. 468, §1 (AMD). PL 2001, c. 702, §1 (AMD). PL 2005, c. 12, §LL1 (AMD). PL 2015, c. 102, §§2, 3 (AMD). PL 2019, c. 475, §18 (AMD).

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