

The LPC Handbook: MMA's Legislative Policy Committee

The Legislative Policy Committee (LPC) is a representative body made up of 70 members plus MMA's Vice President, who serves as the Chair. The primary role of the Chair is to call and facilitate all LPC meetings, moderate LPC discussions, and ensure the proper application of all the procedures established in this *Handbook*. The Chair is not a voting member of the LPC, except to break a tie. As described in detail below, all members of the LPC are elected or appointed municipal officials who, with the exception of the Chair, are elected to the position of LPC Representative by the municipal officers within their district.

Role of the LPC. MMA's 12-member Executive Committee is the Board of Directors of the Association and is responsible for its control and management. In the 1970's, the Executive Committee created the Legislative Policy Committee (LPC). The LPC serves a critical function as the advocacy arm of the Maine Municipal Association. The purpose of the LPC is to define municipal interests and to maximize those interests through effective participation in the legislative process. Specifically, in consultation with the Executive Committee, the LPC is responsible for:

- Developing and coordinating MMA's legislative policy process;
- Identifying MMA's advocacy priorities and developing a legislative program;
- Providing direction on legislative strategy to achieve these objectives; and
- Taking positions on legislative proposals affecting municipalities.

In addition, LPC Representatives are expected to assist MMA staff by acting as municipal advocates at the local level. LPC members are expected to:

- Establish ongoing communication with legislators in their Senate districts and inform those legislators about LPC positions;
- Act as liaisons with municipal officials in their districts; and
- Keep MMA staff informed of issues of concern.

Districts. Representation on the LPC is based on the State Senate districts. Two members are elected from each of the 35 State Senate Districts.

In districts where a municipality represents more than half of the district's population, the municipal officers of that municipality are allowed to appoint one member to the LPC, and the remaining LPC Representative shall be elected by all the municipalities in the district. In Senate districts located entirely within one municipality, the municipal officers of that municipality appoint its two LPC Representatives.

Nominations. A new LPC is elected every two years. Elections are held the same year as legislative elections (even-numbered years), although months earlier than the statewide election in November. Shortly after the conclusion of the second session of the Legislature (in April or May of the even-numbered years) an announcement is sent to the Key Municipal Official in all municipalities, informing them of the LPC election and asking for nominations of a candidate from their municipality or any other municipality within their district.

Elections. Once nominations are received, ballots containing the names of all nominees received by the specified deadline are mailed to all municipalities. The ballot also contains a space for write-in candidates. The boards of selectmen or councils of each municipality within the Senate district make their preference known on the ballot and return it to the Maine Municipal Association by a date certain. The nominees or write-in candidates receiving the most votes are elected to the Legislative Policy Committee and so-notified.

In the case of a tie vote, the Chair shall contact the winning candidates and attempt to obtain a negotiated resolution. The negotiated resolution could involve establishing: (1) a run-off election; (2) an agreement among the winning candidates to share the position by serving as each other's alternate for the duration of the term, or (3) some other mutually agreeable solution. In the event a negotiated resolution to the tie vote cannot be obtained, the MMA President is authorized to resolve a tie vote by appointment.

Terms. The LPC members serve for a two-year term, running from July 1st of each even-numbered year to June 30th of the next subsequent even-numbered year.

Alternates. Each LPC member may designate one or more alternates who can serve in the place of that LPC member at any meeting of the LPC. The designation must be submitted in writing to the Executive Director for filing at the MMA offices. An alternate may participate as a member at any LPC meeting only in the absence of the elected LPC member.

Vacancies. Vacancies occur when an LPC member resigns, is no longer qualified to serve because he or she is no longer a local official in his or her district, or when the member (or the member's designee) fails to attend three consecutive meetings. If a member or the member's designee does not attend the LPC for three consecutive meetings, the Executive Director must contact the member to find out if he or she wants to continue to serve on the LPC. If the member resigns or fails to attend the next LPC meeting, the Executive Director then notifies the President that a vacancy exists.

In the case of any vacancy which occurs in a district falling entirely within a single municipality (see *Districts*, above), the President or the President's designee shall notify the Key Municipal Official of that municipality and the municipal officers of that municipality may appoint a new LPC Representative. In the case of any vacancy that occurs in a multi-municipal LPC district, the President is authorized to appoint a replacement, with consideration given to the criteria provided herein.

Criteria for Appointment. In the event of a vacancy with respect to which the President is authorized to appoint a replacement, the President shall consider the following equally-weighted criteria before making the appointment:

- The level of interest in the position that might be held by those municipal officials on that district's ballot at the immediately previous LPC election;
- In the case of vacancies created because the former LPC member is no longer qualified to serve in that district, the level of interest in the position that might be held by the municipal official immediately filling the office formerly held by the LPC member;
- The demographic and geographic representational needs of the district created by the vacancy; and
- Any recommendations or nominations offered by municipal officers or the remaining LPC member within the district.

Without exception the replacement must be from the district. Upon making the appointment and so-notifying the appointee, the President or the President's designee shall notify the Chair of the LPC.

Meetings

Calling a meeting. LPC meetings are called by the Chair on an as-needed basis. During the summer and fall of the even-numbered years, the LPC shall convene for the purpose of developing, in consultation with the Executive Committee, the Association's legislative strategy for the first legislative session. During the legislative session, the LPC meets an average of once a month.

Quorum. At least one-third of the full membership must be present in order to conduct any formal business of the LPC.

Subcommittees. For any reason deemed necessary, the Chair may appoint, or the LPC may direct the Chair to appoint, one or more subcommittees. Each subcommittee shall carry out the charge provided to it by the Chair or the LPC, as the case may be, and report the results of its efforts back to the full LPC in the form of a recommendation. Every subcommittee shall serve only for the duration necessary to fulfill the charge given to it by the Chair or LPC. Each subcommittee shall be dissolved upon transmitting its final report or recommendation to the LPC.

Participation. LPC meetings are open to all municipal officials and others who may be interested in observing the LPC's deliberative process. The several Presidents of MMA's affiliate groups (assessors, tax collectors, clerks, welfare directors, etc.) are provided notice of all LPC meetings.

That being said, the LPC is a deliberative body and its meetings are organized and conducted so that the LPC members may discuss the various issues affecting municipal government among themselves and act upon them accordingly. In order to maintain the integrity of the LPC's deliberative process, the Chair will take whatever actions are necessary to ensure that all persons attending a meeting who are not LPC members (or alternates authorized to act as members) are distinguished from the voting members and prohibited from voting, and otherwise informed that their right to attend the LPC meeting is not an entitlement to participate.

Subject to any direction provided by the LPC pursuant to its rules of procedure, the Chair may take any action to reasonably restrict or control the active participation of non-members during LPC meetings.

Agenda and Minutes. The Chair shall call each LPC meeting by issuing the notice and agenda of that meeting at least a week before its scheduled date. The Chair shall endeavor to prepare the agenda so that the issues placed before the LPC for consideration are matters: (1) that are of a legislative or regulatory nature and timely or immediate in that regard; (2) possessing a direct and significant relationship to the operation of municipal government; (3) of statewide concern or, there being no objection in writing in advance or at the meeting, of significant regional concern; and (4) positioned on the agenda insofar as possible according to a priority of LPC action. Each agenda shall provide as an initial order of business an opportunity for the full LPC to make such deletions, additions, or adjustments to the agenda as it feels necessary. Each agenda shall also enclose the minutes of the previous meeting, as recorded by MMA staff, so that the LPC will have a record of its previous actions.

Rules of Procedure. With regard to any issue that comes before it, the LPC may act by consensus and forego a formal vote when no formal motion or voting process appears necessary. The Chair or any designee of the Chair will articulate the proposed consensus position and the full LPC will be provided an opportunity for debate. During the period of discussion with respect to the proposed consensus position, any LPC Representative may move an alternative position. If no such alternative position is moved, and absent any objection by any member, the Chair will declare the position to have been taken by the LPC "by consensus." Any motion made by any member of the LPC shall be addressed according to the rules of procedure adopted by the LPC. With regard to all procedural matters not specifically addressed in the *Handbook*, the LPC shall operate according to the rules of procedure established by MMA's *Maine Moderator's Manual*.

Amendments to the Handbook. The LPC, by majority vote, may make any amendments to this *Handbook* as it believes are warranted, except that no vote on an amendment to the *Handbook* may be taken unless the actual proposed amendment has been given proper notice by being included as an agenda item and distributed at least a week before the scheduled LPC meeting. Each newly constituted LPC shall review the Handbook at its initial convention and adopt it with or without amendments, as that LPC feels necessary.

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