

MAINE STATE LEGISLATURE

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R.03

L.D. 1626

(Filing No. S-448)

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**STATE OF MAINE
SENATE
114TH LEGISLATURE
FIRST SPECIAL SESSION**

SENATE AMENDMENT "B " to COMMITTEE AMENDMENT "A" to H.P. 1172; L.D. 1626, "Resolve, Concerning the Development of a New Master Plan for the Capitol Area"

Amend the amendment by striking out everything after the title and before the statement of fact and inserting in its place the following:

'Amend the resolve by striking out everything after the title and before the statement of fact and inserting in its place the following:

Emergency preamble. Whereas, Acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, a new master plan is urgently needed to guide future development of the capitol area which is held in trust for the people of Maine; and

Whereas, this plan must serve as a blueprint for the future, recognizing reasonable growth with a commitment to protect and preserve our valued inheritance; and

Whereas, the district plan requires active participation from the highest levels of the city government and each of the 3 coequal branches of State Government to inspire the best usage and appreciation; and

Whereas, it is desired to select a master planner through a competitive search; and

Whereas, a special committee is necessary to oversee the selection of the master planner and the development of the first new master plan for the capitol area in 20 years; and

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2 **Whereas**, in the judgment of the Legislature, these facts
create an emergency within the meaning of the Constitution of
4 Maine and require the following legislation as immediately
necessary for the preservation of the public peace, health and
6 safety; now, therefore, be it

8 **Sec. 1. Committee established. Resolved:** That there is
established the Special Committee on the New Capitol Area Master
10 Plan; and be it further

12 **Sec. 2. Master plan; development. Resolved:** That work on the
development of a new master plan for the orderly development of
14 future state buildings, grounds and traffic routes in the capitol
area of Augusta shall be initiated as soon as possible after the
16 passage of this resolve; and be it further

18 **Sec. 3. Master planner. Resolved:** That a nationally recognized
master planner shall be selected and engaged for the purpose of
20 developing a master plan for submission to the Governor and the
Legislature in accordance with this resolve. Selection of this
22 planner shall be made by means of a competitive search with no
geographic limitation for entrants. Members of the Special
24 Committee on the New Capitol Area Master Plan shall participate
in the screening of applicants and shall approve the selection of
26 the master planner. The master planner shall take into
consideration in the development of the new master plan other
28 concurrent planning efforts within the capitol area; and be it
further

30 **Sec. 4. Membership; appointment. Resolved:** That the special
32 committee shall consist of the following 25 members:

34 A. One Senator to be appointed by the President of the
Senate and one member of the House of Representatives to be
36 appointed by the Speaker of the House of Representatives,
both of whom represent the capitol planning district;

38 B. The Mayor of the City of Augusta or a permanent designee;

40 C. Four members of the State Capitol Commission appointed
42 by the commission chair;

44 D. The Executive Director of the Maine Historic
Preservation Commission;

46 E. The Director of the State Capitol Commission;

48 F. The chair and 3 additional members of the Capitol
50 Planning Commission, one who lives in the capitol planning

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district, a city councilor representing the capitol planning
district and a member-at-large;

G. A licensed architect appointed by the Governor from
nominees proposed by the Maine State Board for Licensure of
Architects and Landscape Architects;

H. The Governor or a permanent designee;

I. The President of the Senate or a permanent designee;

J. The Speaker of the House of Representatives or a
permanent designee;

K. The minority leader of the Senate or a permanent
designee;

L. The minority leader of the House of Representatives or a
permanent designee;

M. A permanent designee of the Chief Justice of the Supreme
Judicial Court;

N. Three public members who reside in the City of Augusta,
one of whom is to be appointed by the Governor, one by the
President of the Senate and one by the Speaker of the House
of Representatives;

O. The Director of the Bureau of Public Improvements; and

P. The Commissioner of Transportation or the commissioner's
designee.

All other agencies in State Government shall cooperate fully with
the special committee and provide or develop relevant information
upon request; and be it further

Sec. 5. Chair. Resolved: That the Chair of the Capitol
Planning Commission shall serve as chair of the special committee
and shall call the first meeting of the committee as soon as all
appointments have been made. The chair shall call all subsequent
meetings of the special committee; and be it further

Sec. 6. Duties of the special committee. Resolved: That the
duties of the special committee shall be as follows:

A. Oversee the competition for selection of a master
planner who will develop a proposed new capitol area master
plan and participate in all aspects of the selection
process, including review of criteria for selection,
screening and final selection of candidates for this role;
and

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2 B. Provide assistance to the master planner in the
4 development of the new master plan; and be it further

6 **Sec. 7. Committee report. Resolved:** That the special committee
8 shall present a progress report no later than January 1, 1990, to
10 the Governor and the Legislative Council. This report shall
12 describe the progress of, and any recommendations proposed by,
14 the special committee. The committee shall submit a preliminary
16 report that includes a workplan for completion of the master plan
18 to be transmitted to the Governor and the Legislature no later
than April 1, 1990. This report shall include a cost estimate
sufficient to complete the detailed design of the master plan,
and any necessary implementing legislation. The committee shall
submit a final report that includes the detailed design of the
master plan and any necessary implementing legislation to the
First Regular Session of the 115th Legislature, no later than
January 15, 1991; and be it further

20 **Sec. 8. Staff. Resolved:** That the special committee shall be
22 authorized to hire staff who shall work under the direction of
the chair. Additional assistance from the legislative staff may
be requested from the Legislative Council; and be it further

24 **Sec. 9. Compensation. Resolved:** That all members of the
26 special committee, except the employees of State Government,
28 shall receive reimbursement for travel and other necessary
expenses upon application to the Executive Director of the
30 Legislative Council. Members of the special committee who are
Legislators shall receive the legislative per diem as defined in
32 the Maine Revised Statutes, Title 3, section 2, for each day's
attendance at committee meetings; and be it further

34 **Sec. 10. Review of construction, sale or lease. Resolved:** That
36 notwithstanding any other provision of law, with respect to
state-owned land within the City of Augusta, no state agency may
38 sell, grant, lease, transfer or otherwise convey any real
property, engage in any construction of any new facility or any
40 substantial addition to an existing structure, or establish any
new public ways or widen any existing way abutting such
42 state-owned land until the Legislature has approved a new master
plan. Exceptions for hardship may be granted only if a specific
44 exemption is recommended by the master planner and approved by a
2/3 majority of the membership of the special committee. This
46 section is not intended to prohibit state agencies from entering
into leases as lessees of space and facilities to carry out their
mission; and be it further

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2 shall prepare a detailed budget for the
 3 expenditure of these funds and submit it to
 4 the special committee for review and
 5 approval no later than September 1, 1989.
 6 Any expenditures which deviate from the
 7 approved budget shall require an affirmative
 8 vote of the special committee. The Bureau of
 9 Public Improvements shall provide the chair
 10 and members of the special committee with a
 11 report of expenditures to date at least
 12 monthly. These funds shall not lapse but
 shall carry forward to June 30, 1991.

14 **DEPARTMENT OF ADMINISTRATION**
 15 **TOTAL** \$90,000

16 **LEGISLATURE**

18 **Special Committee on the New Capitol**
 20 **Area Master Plan**

22 All Other \$10,000

24 Provides funds to hire one staff person on a
 25 contractual basis and for the meeting,
 26 advertising and printing costs of the
 27 special committee. These funds shall not
 28 lapse, but remain in this account until
 expended for the purposes described.

30 **LEGISLATURE**
 32 **TOTAL** \$10,000

34 **TOTAL APPROPRIATIONS** \$100,000

38 **Emergency clause.** In view of the emergency cited in the
 40 preamble, this resolve shall take effect when approved.'

42 **STATEMENT OF FACT**

44 This amendment incorporates changes made by Senate Amendment
 46 A to Committee Amendment A as enacted by the First Regular
 48 Session of the 114th Legislature and adds the Director of the
 Bureau of Public Improvements and the Commissioner of
 Transportation to the Special Committee on the New Capitol Area

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2 Master Plan. The amendment also requires that the interim report
include a workplan for the completion of the master plan, makes
4 it clear that state agencies may become lessees as necessary to
carry out their mission and requires a determination of the costs
associated with the acquisition of certain real estate in Augusta.

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8

10 (Senator CLARK)
SPONSORED BY: *Henry Russell Clark*
12
14 COUNTY: Cumberland

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(8/21/89) (Filing No. S-448)