

MAINE STATE LEGISLATURE

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R.O.S.

L.D. 1626

(Filing No. S- 465)

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STATE OF MAINE
SENATE
114TH LEGISLATURE
FIRST SPECIAL SESSION

SENATE AMENDMENT "D " 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

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

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

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

18 **Sec. 3. Master planner. Resolved:** That a nationally recognized
20 master planner shall be selected and engaged for the purpose of
22 developing a master plan for submission to the Governor and the
24 Legislature in accordance with this resolve. Selection of this
26 planner shall be made by means of a competitive search with no
28 geographic limitation for entrants. Members of the Special
30 Committee on the New Capitol Area Master Plan shall participate
32 in the screening of applicants and shall approve the selection of
34 the master planner. The master planner shall take into
36 consideration in the development of the new master plan other
38 concurrent planning efforts within the capitol area; and be it
40 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
36 Senate and one member of the House of Representatives to be
38 appointed by the Speaker of the House of Representatives,
40 both of whom represent the capitol planning district;

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

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

44 D. The Executive Director of the Maine Historic
46 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

SENATE AMENDMENT "D" to COMMITTEE AMENDMENT "A" to H.P. 1172,
L.D. 1626

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

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

8 H. The Governor or a permanent designee;

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

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

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

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

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

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

28 O. The Director of the Bureau of Public Improvements; and
30

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

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

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

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

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

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

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

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

24

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

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

2 **Sec. 11. Acquisition of land. Resolved:** That the Department of
Administration shall ascertain, on the most favorable terms
4 possible, the costs associated with the acquisition of certain
parcels of real estate in the City of Augusta, more particularly
6 described as follows:

8 Parcel 1

10 Apparent owner: Upper Ganneston Development Corporation

12 Lots 21 through 75, inclusive, of Upper Ganneston Park
Subdivision, being a subdivision located in Augusta, County of
14 Kennebec, State of Maine, and being recorded in the Kennebec
County Registry of Deeds on March 8, 1989, as File Nos. E-89049
16 through E-89055, inclusive.

18 Parcel 2

20 Apparent owner: Sumner H. Lipman

22 "Reserve lot," so-called in the northeast of Upper Ganneston
Park Subdivision, as more particularly described in the deed from
24 Lipman and Gall Real Estate to Sumner H. Lipman, dated February
19, 1989, and recorded in Kennebec County Registry of Deeds at
26 Book 3500, Page 232.

28 The Department of Administration shall submit a report to
the Legislature on its findings concerning acquisition of both
30 parcels of land described in this section prior to January 1,
1990; and be it further

32 **Sec. 12. Appropriation. Resolved:** That the following funds are
34 appropriated from the General Fund to carry out the purposes of
this resolve.

36 **1989-90**

38 **ADMINISTRATION, DEPARTMENT OF**

40 **Public Improvements - Planning -**
42 **Construction - Administration**

44 All Other \$90,000

46 Provides funds to contract with a master
planner to provide assistance to the Special
48 Committee on the New Capitol Area Master
Plan. These funds shall not be expended for
50 this purpose until the special committee has
voted to approve the selection of the master
52 planner. The Bureau of Public Improvements

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SENATE AMENDMENT "D" to COMMITTEE AMENDMENT "A" to H.P. 1172,
L.D. 1626

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
39 preamble, this resolve shall take effect when approved.' '

42 **STATEMENT OF FACT**

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

SENATE AMENDMENT " D" to COMMITTEE AMENDMENT "A" to H.P. 1172,
L.D. 1626

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
6 associated with the acquisition of certain real estate in
Augusta. The amendment allows the Legislative Council to
authorize construction of a facility upon application by the
8 Secretary of State.

10

12

(Senator BUSTIN)
SPONSORED BY:



14

COUNTY: Kennebec

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