

MAINE STATE LEGISLATURE

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7
n.d.S.

L.D. 1991

DATE: 2/13/02

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STATE AND LOCAL GOVERNMENT

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
120TH LEGISLATURE
SECOND REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 1488, L.D. 1991, "Resolve, to Establish a Commission to Erect a Memorial in Capitol Park to the Victims and Heroes of the September 11, 2001 Tragedy"

Amend the resolve by striking out the title and substituting the following:

'Resolve, to Develop a Living Memorial in Capitol Park in Honor of the Victims and Heroes of the September 11, 2001 Tragedy'

Further amend the resolve in section 1 in the 2nd line (page 1, line 2 in L.D.) by striking out the following: "Erect a Memorial Dedicated to" and inserting in its place the following: 'Honor'

Further amend the resolve by striking out all of section 4 and inserting in its place the following:

'Sec. 4. Duties. Resolved: That the commission shall study issues involved in the design of a living memorial in Capitol Park dedicated to the victims and heroes of the September 11, 2001 tragedy. The memorial must be designed to enhance the natural beauty of the park and to provide a place for quiet reflection on the events of September 11th. The memorial may introduce new or restore existing natural elements in Capitol Park such as vegetation planting and walkways consistent with the plan developed for the park by the Olmsted Brothers firm in 1920 and revised by the Pressley firm in 1990. The memorial may be identified in an unobtrusive and dignified manner. The commission shall hold a public hearing to receive public comment on the establishment of a living memorial in Capitol Park. The

COMMITTEE AMENDMENT

Revis.

2 commission shall develop recommendations on a funding mechanism
for building the memorial, including, but not limited to, a
4 public and private partnership; and be it further'

6 Further amend the resolve in section 7 in the last line
(page 2, line 23 in L.D.) by striking out the following:
"December 15," and inserting in its place the following:
8 'November 6,'

10 Further amend the resolve by striking out all of section 8
and inserting in its place the following:

12 **'Sec. 8. Commission budget. Resolved:** That the chair of the
14 commission, with assistance from the commission staff, shall
administer the commission's budget. Within 10 days after its
16 first meeting, the commission shall present a work plan and
proposed budget to the Legislative Council for its approval. The
18 commission may not incur expenses that would result in the
commission's exceeding its approved budget.

20 Upon request from the commission, the Executive Director of
22 the Legislative Council or the Executive Director's designee
shall promptly provide the commission chair and staff with a
24 status report on the study budget, expenditures incurred and paid
and available funds; and be it further

26 **Sec. 9. Extension. Resolved:** That, if the commission requires
28 a limited extension of time to complete its study and make its
report, the commission may apply to the Legislative Council,
30 which may grant an extension; and be it further

32 **Sec. 10. Appropriations and allocations. Resolved:** That the
following appropriations and allocations are made.

34 **LEGISLATURE**

36 **Commission to Honor the Victims and Heroes of**
38 **the September 11, 2001 Tragedy**

40 Initiative: Provides for the per diem and expenses of
42 legislative members and expenses of other eligible members of
the Commission to Honor the Victims and Heroes of the September
11, 2001 Tragedy, for the cost of a public hearing and to print
44 the required report.

46	General Fund	2001-02	2002-03
	Personal Services	\$0	\$880
48	All Other	<u>0</u>	<u>3,000</u>
	General Fund Total	\$0	\$3,880'

50

Further amend the resolve by inserting at the end before the summary the following:

FISCAL NOTE

2002-03

APPROPRIATIONS/ALLOCATIONS

General Fund \$3,880

The Legislature will require a General Fund appropriation of \$3,880 in fiscal year 2002-03 for the per diem of Legislators only and expenses of legislative members and other eligible members of the Commission to Honor the Victims and Heroes of the September 11, 2001 Tragedy, for the cost of a public hearing and to print the required report.

The additional costs associated with providing staffing assistance to the commission during the interim between legislative sessions can be absorbed by the Legislature utilizing existing budgeted resources. If an extension of the reporting deadline is granted and the commission requires staffing assistance during the legislative session, the Legislature may require an additional General Fund appropriation to contract for services.

The additional costs associated with the director of the Maine Arts Commission serving as an ex officio nonvoting member of the Commission to Honor the Victims and Heroes of the September 11, 2001 Tragedy can be absorbed by the Maine Arts Commission utilizing existing budgeted resources.

The additional costs associated with appointing commission members and providing consulting services can be absorbed by the Governor's Office in the Executive Department and the Department of Administrative and Financial Services utilizing existing budgeted resources.'

SUMMARY

The resolve establishes the Commission to Erect a Memorial to the Victims and Heroes of the September 11, 2001 Tragedy. The amendment:

1. Changes the title of the resolve and the commission;

COMMITTEE AMENDMENT "A" to H.P. 1488, L.D. 1991

2 Provides that the commission shall focus on development
of a living memorial consistent with the natural elements of the
existing architectural plans for Capitol Park, such as plantings
4 of vegetation or development or restoration of pathways;

6 3. Prohibits the memorial from being in the form of a
statue, monument or similar structure and requires any
8 identification of the memorial to be unobtrusive and dignified;

10 4. Requires the commission to hold a public hearing to
receive public comment on the nature of the memorial; and

12 5. Adds standard language regarding management of the
14 commission's budget and changes the reporting date for the
commission to be consistent with the drafting guidelines adopted
16 by the Legislative Council.

18 The amendment also adds an appropriations and allocations
section and a fiscal note to the resolve.