

MAINE STATE LEGISLATURE

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STATE AND LOCAL GOVERNMENT

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STATE OF MAINE
HOUSE OF REPRESENTATIVES
123RD LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A" to H.P. 809, L.D. 1091, "Resolve, To Establish the Maine Civil War Sesquicentennial Commission"

Amend the resolve by striking out everything after the title and before the summary and inserting the following:

Sec. 1. Maine Civil War Sesquicentennial Commission established. Resolved: That the Maine Civil War Sesquicentennial Commission, referred to in this resolve as "the commission," is established; and be it further

Sec. 2. Commission membership. Resolved: That the commission consists of 13 members appointed as follows:

- 1. Three members of the Senate, appointed by the President of the Senate, at least one of whom serves on the Joint Standing Committee on State and Local Government;
2. Four members of the House of Representatives, appointed by the Speaker of the House, at least one of whom serves on the Joint Standing Committee on State and Local Government;
3. The State Librarian or the State Librarian's designee;
4. The State Historian or the State Historian's designee;
5. The State Historic Preservation Officer or the State Historic Preservation Officer's designee;
6. The Adjutant General or the Adjutant General's designee; and
7. Two members of the general public appointed by the Governor; and be it further

Sec. 3. Terms of appointment. Resolved: That the Legislators serve terms coincident with their legislative terms and are appointed every 2 years. Legislators may be reappointed to the commission and may continue to serve until their replacements are designated. Members of the general public are appointed for 3 years and may be reappointed by the Governor; and be it further

COMMITTEE AMENDMENT

1 **Sec. 4. Chairs. Resolved:** That the first-named Senate member is the Senate
2 chair of the commission and the first-named House of Representatives member is the
3 House chair of the commission; and be it further

4 **Sec. 5. Appointments; convening of commission. Resolved:** That all
5 appointments must be made no later than 30 days following the effective date of this
6 resolve. The appointing authorities shall notify the Executive Director of the Legislative
7 Council once all appointments have been completed. Within 15 days after appointment
8 of all members, the chairs shall call and convene the first meeting of the commission,
9 which must be no later than November 15, 2007; and be it further

10 **Sec. 6. Duties. Resolved:** That the commission shall develop and coordinate the
11 commemoration of the 150th anniversary of Maine's role in the Civil War through
12 educational and historical events, activities, publications and programs throughout the
13 State. The commission may adopt an official flag, seal or other emblem for the
14 commemoration and copyright that flag, seal or emblem in the name of the State and may
15 license the use of the official flag, seal or emblem upon terms determined by the
16 commission. Any revenue from the licensed use of an official flag, seal or emblem under
17 this section must be credited to the fund established in section 12; and be it further

18 **Sec. 7. Staff assistance. Resolved:** That the Legislative Council shall provide
19 necessary staffing services to the commission; and be it further

20 **Sec. 8. Meetings. Resolved:** That the commission may hold up to 4 meetings a
21 year, one of which must be a public hearing, and all meetings must be held during the
22 interim between legislative sessions; and be it further

23 **Sec. 9. Compensation. Resolved:** That the legislative members of the
24 commission are entitled to receive the legislative per diem, as defined in the Maine
25 Revised Statutes, Title 3, section 2, and reimbursement for travel and other necessary
26 expenses related to their attendance at authorized meetings of the commission. Public
27 members not otherwise compensated by their employers or other entities that they
28 represent are entitled to receive reimbursement of necessary expenses and, upon a
29 demonstration of financial hardship, a per diem equal to the legislative per diem for their
30 attendance at authorized meetings of the commission; and be it further

31 **Sec. 10. Report. Resolved:** That, no later than December 15th of each year, the
32 commission shall submit a report that includes its findings and recommendations,
33 including suggested legislation, for presentation to the joint standing committee of the
34 Legislature having jurisdiction over state and local government matters and the
35 Legislative Council. The commission is not authorized to introduce legislation.
36 Following receipt and review of the report, the joint standing committee of the
37 Legislature having jurisdiction over state and local government matters may submit
38 legislation to the Legislature on or before January 15th annually; and be it further

39 **Sec. 11. Commission budget. Resolved:** That the chairs of the commission,
40 with assistance from the commission staff, shall administer the commission's budget.
41 Within 10 days after its first meeting, the commission shall present a work plan and
42 proposed budget to the Legislative Council for its approval. The commission may not
43 incur expenses that would result in the commission's exceeding its approved budget.

1 Upon request from the commission, the Executive Director of the Legislative Council
2 shall promptly provide the commission chairs and staff with a status report on the
3 commission budget, expenditures incurred and paid and available funds; and be it further

4 **Sec. 12. Funding. Resolved:** That the Maine Civil War Sesquicentennial Fund,
5 referred to in this resolve as "the fund," is established. The commission may seek and
6 accept outside funds from public and private sources and grants to fund the costs of all
7 activities of the commission except for legislative per diems pursuant to section 9.
8 Contributions to support the work of the commission may not be accepted from any party
9 having a pecuniary or other vested interest in the outcome of the commission's work.
10 Any person, other than a state agency, desiring to make a financial or in-kind contribution
11 must certify to the Legislative Council that it has no pecuniary or other vested interest in
12 the outcome of the commission's work. Such certification must be made in the manner
13 prescribed by the Legislative Council. All contributions are subject to approval by the
14 Legislative Council. All funds accepted must be forwarded to the Executive Director of
15 the Legislative Council along with an accounting record that includes the amount of
16 funds, the date the funds were received, from whom the funds were received and the
17 purpose of and any limitation on the use of those funds. The Executive Director of the
18 Legislative Council shall administer any funds received by the commission. Balances in
19 the fund may not lapse and must be carried forward and used for the purposes of this
20 resolve. The Executive Director of the Legislative Council, with the permission of the
21 commission, may permit the Treasurer of State to invest unexpended money held in the
22 fund, and all proceeds of these investments accrue to the commission. The fund
23 terminates on December 31, 2015, and any unexpended balance in the fund on December
24 31, 2015 must be transferred to the General Fund; and be it further

25 **Sec. 13. Appropriations and allocations. Resolved:** That the following
26 appropriations and allocations are made.

27 **LEGISLATURE**

28 **Study Commissions - Funding 0444**

29 Initiative: Provides a base allocation of Other Special Revenue Funds beginning in fiscal
30 year 2007-08 in the amount of \$500 in the event that funds are received for activities of
31 the commission other than compensation for commission members.

32	OTHER SPECIAL REVENUE FUNDS	2007-08	2008-09
33	All Other	\$500	\$500
34			
35	OTHER SPECIAL REVENUE FUNDS TOTAL	\$500	\$500
36			

37 **SUMMARY**

38 This amendment replaces the resolve. It establishes the Maine Civil War
39 Sesquicentennial Commission to develop and coordinate the commemoration of Maine's
40 role in the Civil War. It changes the membership of the commission to 7 Legislators;
41 adds the State Librarian or the State Librarian's designee, the State Historian or the State

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1 Historian's designee and the Adjutant General or the Adjutant General's designee; and
2 reduces the number of public members to 2. It requires the Legislative Council to
3 administer the funding for the commission and allows outside funding to be used for
4 activities and duties other than legislative compensation. The amendment makes a
5 number of other technical changes related to reporting dates, staff assistance and terms of
6 appointment.

7 **FISCAL NOTE REQUIRED**

8 (See attached)



123rd MAINE LEGISLATURE

LD 1091

LR 682(02)

Resolve, To Establish the Maine Civil War Sesquicentennial Commission

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: State and Local Government

Fiscal Note Required: Yes

Fiscal Note

Current Costs - Legislative Study

	2007-08	2008-09	Projections 2009-10	Projections 2010-11
Appropriations/Allocations				
Other Special Revenue Funds	\$500	\$500	\$500	\$500

Legislative Study

The general operating expenses of this study are projected to be \$5,530 annually beginning in fiscal year 2007-08 and continuing until fiscal year 2010-11. The Legislature's proposed budget includes \$30,000 in fiscal year 2007-08 and \$20,000 in fiscal year 2008-09 for legislative studies. Whether the amounts are sufficient to fund all studies will depend on the number of studies authorized by the Legislative Council and the Legislature.

Fiscal Detail and Notes

This legislation will require a base allocation to the Legislature of \$500 beginning in fiscal year 2007-08 in the event funds are received for activities of the commission other than compensation for commission members.