

MAINE STATE LEGISLATURE

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123rd MAINE LEGISLATURE

SECOND REGULAR SESSION-2008

Legislative Document

No. 1993

S.P. 787

December 18, 2007

**Resolve, Establishing the Commission To Review the Accountability
of State Cultural Agencies**

(EMERGENCY)

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Received by the Secretary of the Senate on December 18, 2007. Referred to the Committee on Education and Cultural Affairs pursuant to Joint Rule 308.2 and ordered printed.

A handwritten signature in cursive script, reading "Joy J. O'Brien".

JOY J. O'BRIEN
Secretary of the Senate

Presented by Senator MARTIN of Aroostook.

Cosponsored by Representative MILLS of Farmington and Senator: MITCHELL of Kennebec.

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

3 **Whereas,** this resolve establishes the Commission To Review the Accountability of
4 State Cultural Agencies; and

5 **Whereas,** the commission is ~~required~~ to begin its work in June 2008; and

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

10 **Sec. 1. Study commission established. Resolved:** That the Commission To
11 Review the Accountability of State Cultural Agencies, referred to in this resolve as "the
12 commission," is established; and be it further

13 **Sec. 2. Commission membership. Resolved:** That the commission consists of
14 9 members appointed as follows:

15 1. Three Senators, appointed by the President of the Senate;

16 2. Four members of the House of Representatives, appointed by the Speaker of the
17 House; and

18 3. The following persons appointed as ex officio voting members:

19 A. The Commissioner of Administrative and Financial Services; and

20 B. The chair of the Maine State Cultural Affairs Council; and be it further

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

24 **Sec. 4. Appointments; convening of commission. Resolved:** That all
25 appointments must be made no later than 30 days following the effective date of this
26 resolve. The appointing authorities shall notify the Executive Director of the Legislative
27 Council once all appointments have been completed. Within 15 days after appointment
28 of all members, the chairs shall call and convene the first meeting of the commission,
29 which must be no later than June 15, 2008; and be it further

30 **Sec. 5. Duties. Resolved:** That the commission shall review existing
31 accountability for the State's cultural agencies and develop strategies to increase
32 accountability. For purposes of this section, "the State's cultural agencies" means the
33 Maine State Museum, the Maine State Library, the Maine State Archives, the Maine Arts
34 Commission, the Maine Historic Preservation Commission, the Maine Humanities
35 Council and the Maine Historical Society; and be it further

1 **Sec. 6. Staff assistance. Resolved:** That the Legislative Council shall provide
2 necessary staffing services to the commission; and be it further

3 **Sec. 7. Report. Resolved:** That, no later than November 5, 2008, the
4 commission shall submit a report that includes its findings and recommendations,
5 including suggested legislation, for presentation to the First Regular Session of the 124th
6 Legislature. The joint standing committee of the Legislature having jurisdiction over
7 education and cultural affairs is authorized to introduce a bill related to the subject matter
8 of the report to the First Regular Session of the 124th Legislature upon receipt of the
9 report.

10 **Emergency clause.** In view of the emergency cited in the preamble, this
11 legislation takes effect when approved.

12 SUMMARY

13 This resolve establishes the Commission To Review the Accountability of State
14 Cultural Agencies and directs the commission to submit its report to the joint standing
15 committee of the Legislature having jurisdiction over education and cultural affairs by
16 November 5, 2008.